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ABSTRACT

This curriculum presents lessons and materials designed to teach immigrant students their rights and responsibilities under the U.S. legal system. The lessons employ interactive strategies, and develop higher order thinking skills as they foster English language learning. The curriculum contains eight units: (1) "Roots of Rights: Introduction to the Bill of Rights"; (2) "Free Speech, Assembly, Press: Freedom of Speech; Freedom of Press; Freedom of Assembly; Freedom to Petition Government"; (3) "Freedom to Believe: Freedom of Religion"; (4) "It's about Privacy: Freedom from Unreasonable Search and Seizure"; (5) "Rights of the Accused: Right to a Lawyer; Right to Trial by Jury; Protection Against Cruel and Unusual Punishment"; (6) "Equal Protection Under the Laws: Equal Rights"; (7) "The Bill of Rights and Your Body: Right to Privacy"; and (8) "The Right to Vote: Right to Vote and Participate." The Universal Declaration of Human Rights and the Extended Bill of Rights are appended. (DB)

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It's Yours: The Bill of Rights

Lessons on the Bill of Rights for English as a Second Language Students

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It's Yours: The Bill of Rights

Lessons on the Bill of Rights for Students of English as a Second Language

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At a 1988 Constitutional Rights Foundation conference on Educating for Law and Justice in a Pluralistic Society, both social studies and English as a Second Language educators indicated a pressing need for materials to teach immigrant students their rights and responsibilities under the U.S. legal system. Constitutional Rights Foundation Chicago has responded to that need with lessons on the Bill of Rights which are simply written, use interactive strategies, and develop higher order thinking skills as they foster English language learning.

Special thanks are due to the teachers and students in Los Angeles, New York, Miami, Chicago, and Portland, Maine who field-tested and critiqued these lessons and to the following individuals: Jacqueline Bendy for her invaluable research, writing, and editing contributions; Warren Rosenblum and Neal Brady for their work on the first stages of this book; Victor Rosenblum for his legal expertise and unfailing encouragement; Anne Fickling for her enthusiastic support; Lori Orum as a source of inspiration in undertaking this project; Maria Cedeno for early and continuing promotion of the project; Marshall Hartman and Miriam Santos for generously sharing their time and expertise; Lisa Kelley for her editorial and formatting work; Arturo Perez for contributing creative activities; the Social Science Education Consortium for its thorough evaluation; and Marshall Croddy for his expert advice on the final edit.

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UNIT 1: THE ROOTS OF RIGHTS

This book is about the struggle for rights and how the Bill of Rights has helped people. When the Bill of Rights was approved, the people in these pictures were not protected. Many more people are protected today. What rights do you think these people wanted? What rights do you want?

BEFORE YOU READ

What rights do you have? Look at the list of rights below. Do you think you can . . .

	Yes	No	Not Sure
Say what you believe	_____	_____	_____
Meet in a group	_____	_____	_____
Write what you believe	_____	_____	_____
Practice your religion	_____	_____	_____

VOCABULARY:	immigrant	arrest	interview
	laws	synagogue	dialogue

In the following **dialogue**, a German **immigrant** tells two students about his life. Did he or his family have the right to say or write what they believed? Could they meet in a group or belong to the religion they believed in? Where and when did these things happen?

DIALOGUE: Coming to America

Amalia and Hector have homework. They must **interview** an older immigrant about why he or she came to the United States. Mr. Weiss is an immigrant from Germany. He is a manager of a clothing store now.

Amalia: Hello, Mr. Weiss. We would like to ask you a few questions about your life. When were you born?

Weiss: I was born on October 4, 1929, in Berlin, Germany.

Amalia: When did you come to the United States?

Weiss: In 1938. I was 9 years old.

Amalia: Why did you leave Germany?

Weiss: I am Jewish. I had to leave. The Nazis passed **laws** against Jews.

Amalia: What do you mean, Mr. Weiss?

Weiss: Well, for example, they passed laws that said Jewish people could not own property or marry other Germans who were not Jews. The Nazis controlled Germany. My father owned a newspaper. But he couldn't say or write anything that did not agree with the government. No one could.

Amalia: What about your rights?

Weiss: We had no rights. The police came in the middle of the night. They **arrested** my father and took him away.

Amalia: Why did they take him away? Just because he was Jewish?

Weiss: They didn't tell him why. They didn't kill him. They just beat him up. He was luckier than many.

Hector: What happened to the newspaper?

Weiss: They closed it down and broke the printing press.

Hector: What do you miss most about your country?

Weiss: All my relatives. It was wonderful to be together with family and friends at our **synagogue** and our homes. But then the Nazis passed laws saying that we couldn't meet together.

Hector: What do you like best about this country?

Weiss: I feel much safer here. I know some people here don't like Jews, but I also know that the government won't try to hurt me for being Jewish. I have been very lucky. I have a steady job, an apartment, and enough food to eat.

Amalia: Do you have any suggestions on how to make life in the United States better for people?

Weiss: I'm getting pretty old. I worry about what will happen to me. I have no one to take care of me. I wish the government could do more to help older people.

WHAT DO YOU KNOW?

With a partner, take turns asking and answering the questions. Look back at the dialogue.

1. Where and when was Mr. Weiss born?
2. When did he come to the United States? Why did he come?
3. What does he miss most about his country?
4. What does he like best about this country?
5. What does he think would make life better in the United States?
6. Could Mr. Weiss and his family do these things? Yes or no? Find the sentence in the dialogue that tells you this and copy it.

Example: Say what they believe
But he couldn't say or write anything that disagreed with the government.

a. Meet in a group
b. Write what they believe
c. Practice their religion

ACTIVITY: Interview with an Older Immigrant

You will need to find an older immigrant who can tell you what life was like in his or her native country. We want to find out how other people feel about rights, too. Ask the person the following questions and write down the answers.

1. Where and when were you born?
2. When did you come to the United States? Why did you come?
3. What do you miss most about your country?
4. What do you like best about this country?
5. Did anything surprise you about the United States?
6. Do you have any suggestions on how to make life in the U.S. better for individuals?
7. In the United States do you think you can . . .

	Yes	No	Not Sure
Say what you believe	_____	_____	_____
Meet in a group	_____	_____	_____
Write what you believe	_____	_____	_____
Practice your religion	_____	_____	_____

The Results of the Interview

In groups of two or three, take turns reading the results of your interviews. Write all the information on one sheet of paper. List the answers under the following headings. The teacher will have each group share its results with the rest of the class.

1. Countries and dates of birth;
2. Dates of arrival and the reasons;
3. Things they missed most;
4. Things they like best;
5. Things that surprised them;
6. Suggestions for making life better.

Did people think they have rights? If they said Yes, put 2 in that box. If they said No, put 0. If they were Not Sure, put 1. Now add all the numbers for each right.

	Person One	Person Two	Person Three	Total
Say what you believe				
Meet in a group				
Write what you believe				
Practice your religion				

WHAT DO YOU KNOW?

1. What rights do most people think they have?
2. Compare these answers to your answers. Are they the same or different?

WHAT DO YOU THINK?

1. Why do you think your answers are the same or different from the people you interviewed?
2. Look at the answers to questions 3, 4, 5, and 6. What rights do you think the people you interviewed would like to have?

A History of Rights

BEFORE YOU READ
Think of the reasons why people you interviewed came to the United States. As you read look for the reasons people came to this land before 1776.

Why Did People Come to North America?

The first people who came to North America 35,000 years ago are now called Native Americans. They probably came from Asia looking for food. People from Europe and Africa came much later, about 500 years ago.

The Europeans came for different reasons. Some came looking for a better life. Some came because they wanted land. Some came because they had no jobs. Others came looking for religious freedom. Sometimes they came here instead of spending time in prison.

Most Africans did not want to come here. They were brought as slaves.

List the seven reasons for coming to America in the paragraphs above. In pairs, compare their reasons to the reasons from the survey you took. Which reasons are the same? Which reasons are different?

WHAT DO YOU THINK?
Look back at the seven reasons for coming to America. What rights do you think the people who came here wanted to have in their new country?

Life, Liberty, and the Pursuit of Happiness—Basic Rights

VOCABULARY:	colonies	declare	liberty
	independent	pursuit of happiness	

By 1776 there were 13 colonies governed by England in North America. Many of the people in the colonies wanted to be **independent** from England. When the **colonies** sent their Declaration of Independence to the King of England on July 4, 1776, it did more than **declare** (say) that the colonies were independent (separate). It said that all people have certain rights. They included the right to life, **liberty**, and the **pursuit of happiness**.

The colonists fought and won a war, called the Revolutionary War, with England. Now they needed to form a government of their own. They wanted to make sure that the new government protected the rights they wrote in the Declaration of Independence.

WHAT DO YOU KNOW?
1. What did the Declaration of Independence say?
2. Was the state you live in one of the original 13 colonies? If not, when did it become part of the United States?

WHAT DO YOU THINK?
1. What does the right to life mean?
2. What does it mean to have the right to liberty?
3. What does it mean to have the right to the pursuit of happiness?

The Constitution Forms the New Government

VOCABULARY:	Senate	House of Representatives	accused
	federal	amendments	branch
	President	break the law	bill
	elected	Constitution	Congress
	Courts	appoint	

The first government the colonists formed had problems. Many people wanted a stronger government. But they didn't want it to have too much power. They wanted a government with limited powers. They wanted to be protected from government. They sent **representatives** to change the government. These representatives decided to write a constitution for a new kind of government.

The Constitution described the powers and responsibilities of those who govern the country. The new government would be divided into three parts—the **President** and all of the people who work for the President; the **Congress** which included the **Senate** and the **House of Representatives**; and the **Courts**.

Each **branch** of government had different jobs. The Congress would make the laws. The President would make sure the laws were obeyed. The President would choose people to be on the **federal** courts. The Senate would have to approve of the President's choices. When someone was **accused** of not following the Constitution or a law made by Congress, the courts would then decide if the person(s) had **broken the law** or the Constitution.

State governments have the same three branches as the federal government.

The Three Branches of Government

LEGISLATIVE BRANCH

The legislature makes the laws. The legislature is called the Congress. It is divided into two parts—the Senate and the House of Representatives. The majority of both must approve a **bill** and the President must sign it before it becomes a law.

All states have the same number of senators—two from each state for a total of 100 senators. Senators are **elected** for six years by the people of their state.

The House has 435 representatives. Each state has a certain number of them, depending on how many people live in the state. Representatives are elected for two years by the people of their state.

EXECUTIVE BRANCH

The executive branch includes the President and all those who enforce the law (make sure the law is obeyed).

The President is in charge of the government and is elected for four years. The same person can only be elected for President twice.

JUDICIAL BRANCH

The judicial branch includes the Supreme Court and the federal courts.

The Supreme Court interprets the Constitution and can decide if a law is allowed under the Constitution. Federal Justices are **appointed** by the President for life.

VOCABULARY REVIEW

A. Look at **The Three Branches of Government** on page 12 and **The Constitution Forms the New Government** on page 11. In pairs, discuss each question and circle the correct answers. There may be more than one correct answer for each question. The **Constitution** says that:

1. The **President** has the power to:
   a. Make a **law** that says everyone has to pay taxes.
   b. **Appoint** someone from your state to represent you in the Senate.
   c. Tell people who work for him to make sure you pay your taxes.
   d. Say he approves of a **law** that **Congress** passes by signing it.

2. The **Congress**:
   a. Tells the **courts** what the laws mean.
   b. Has 635 **representatives**.
   c. Has two **branches**—the **Senate** and the **House of Representatives** who pass **bills** into **laws**.
   d. Is **elected** by the voters.

3. The **Federal Courts**:
   a. Have judges that are **elected** by the people.
   b. Decide if someone has **broken a law** made by **Congress**.
   c. Can have old judges because they can keep their jobs as long as they live.
   d. Make sure a **law** is obeyed.

B. In pairs complete the following sentences.
   1. We think someone who represents our class in student government should...
   2. If someone in the class was accused of selling drugs,...

"There is no declaration of rights"

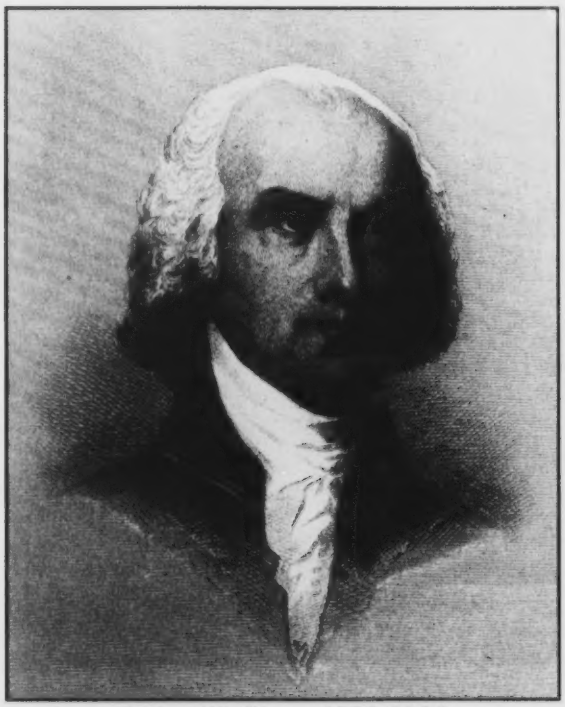
When James Madison, the author of the Constitution, presented it to the 39 representatives from other states, George Mason from Virginia was angry. So were other people. George Mason and two other representatives did not sign the Constitution because it did not have a bill of rights. The Constitution was sent to the states for approval without a bill of rights. Madison argued that the Constitution didn't need a bill of rights. But many people thought a bill of rights was important and tried to stop the approval of the Constitution. Eleven states finally approved the Constitution even though many people in those states wanted a bill of rights. North Carolina and Rhode Island would not approve the Constitution until it had a bill of rights.

Madison changed his mind about the need for a bill of rights. His friend, Thomas Jefferson, the author of the Declaration of Independence, wrote to Madison arguing that a bill of rights was needed. A bill of rights would make it clear that the government protects the people. Madison decided that Jefferson was right. Madison promised that if he were elected to the first Congress, he would write a bill of rights for the Constitution. He kept that promise.

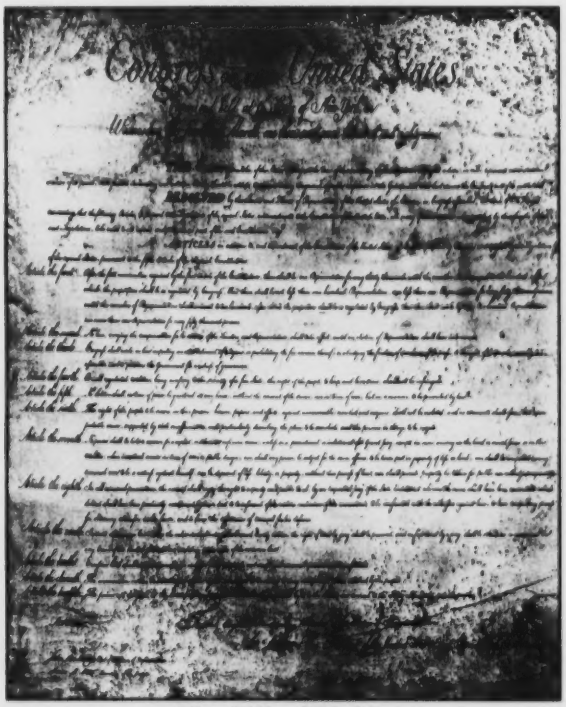
One of the first things the new government did was to write the promised bill of rights and send it back to the states to be approved. These were the first **amendments** (changes) to the Constitution. The ten amendments were approved on December 15, 1791.

Who Was James Madison?

James Madison was born in March, 1751. He was the oldest of 10 children. He grew up on his father's tobacco farm in Virginia. When he was a young man, he was often sick. So he read a lot. The books he read were not just in English. He read books in Greek, Latin, Hebrew, French, Spanish, and Italian. He graduated from college in two years by working very hard and not sleeping very much. This short, thin, quiet man lived for 85 years. The "father" of the Constitution and the Bill of Rights also became the fourth President of the United States.



James Madison, 1751-1836.



The Bill of Rights.

WHAT DO YOU KNOW?

1. Why did many people not want to approve the Constitution?
2. What are some things that government does for us? Think of examples from your local government, state government, and national government.
3. Do you know any people here who are afraid of government? What makes them afraid?
4. Are people afraid of government in the country your family comes from?

WHAT DO YOU THINK?

1. Why did people think the "Bill of Rights" was so important?
2. The list below gives you an idea of some of the things included in the Bill of Rights and other amendments to the Constitution. They are some of the things we will be discussing in the rest of the book. Think of one reason why it is important for you to have these rights.

- Say what you believe
- Meet in a group
- Write what you believe
- Practice the religion you believe in
- Have privacy
- Have rules which protect innocent people from being punished
- Be treated fairly
- Choose your representatives

Representative Democracy and Majority Rule

VOCABULARY:	vote	proposal
	mainstream	democracy

The Constitution sets up a system of government based on majority rule. Not only does the national government use this system, but so do state and local governments. Laws are made by representatives. If the majority of representatives **vote** for a bill, it passes and becomes a law.

The following story is imaginary. It tells about a school board and the decisions it must make. A school board is a group of people chosen to make many of the rules for a school. The school board represents the people who live within the school district.

SCHOOL BOARD TO VOTE ON ESL PROGRAM

Members of the Parkville School Board will vote today on whether it should create a new program for English as a Second Language (ESL) students at Parkville High School.

Parents from Parkville's immigrant community plan to come and express their support for the proposal. The new ESL program, they say, will help prepare their children for mainstream classes.

Those against the proposal argue that there is not enough money to give special treatment to immigrant students. Parkville High School has already been forced to make large cuts in the music and theater programs.

ACTIVITY

The following five people are members of the school board. They are going to vote tonight. In small groups, read what they say and decide how each one will vote. Then count up the votes to see if the proposal will pass. It will take a majority (1/2 of the people voting plus one), or in this case, three people voting for it to pass.

MR. HACKENBUSH: My son is a junior at Parkville and wants to become a trumpet player. I don't want to spend any more money on programs until Parkville has music again.

MS. PEREIRA: The school must do the best job it can to educate every student. We should spend more money on all students.

MR. ALVAREZ: Our school has many more immigrants than it used to. We must help them to take regular classes. If they need extra help, they should get it.

MS. SMITH: I don't have any children at the school anymore. But my children had special programs to help them. I think it is only fair that we have a special program to help students who speak English as a second language.

MS. AQUINO: I think education is very important, but I am too poor to pay for new programs. I don't want to spend more money on new programs.

No matter what the vote is, some people will not like the decision of the Parkville School Board. In a **democracy**, you may not always agree with what the government does. But you can always work to change that decision. The First Amendment protects your right to express yourself. If government representatives don't listen, people can try to vote them out of office. Sometimes you may even take your case to court.

VOCABULARY REVIEW

1. In the first paragraph of the story, **vote** means
   a) ask people b) make a choice c) tell the students

2. In the second paragraph of the story, **proposal** refers to
   a) suggested new program b) the study of ESL c) the high school

3. In the story, **mainstream** means
   a) water b) regular c) advanced

Using the Court to Protect Your Rights

The Supreme Court is often asked to decide if someone has done something against the Constitution or federal laws.

In the 1970s, Kinney Kinmon Lau lived in San Francisco, California. He did not speak, write, or understand English. He was put in a class where the teacher spoke only English. All his books and homework assignments were in English. He did not understand anything that happened in class, but he had to go to school until he was 16.

Thanks to Kinney Kinmon Lau, these Vietnamese students get an education.

Kinney and his parents went to the school board to protest. They wanted Kinney to have a chance to get an education. The school board did not help Kinney. The Lau family took their protest to court. The Supreme Court finally agreed to take the case. It decided that the school had not obeyed the Civil Rights Act of 1964. It said that any program that gets money from the federal government must be fair to everyone. The school was not being fair to Kinney. He couldn't get an education because he didn't understand the language. Now public schools must teach English to students who don't know English.

Did the Bill of Rights Work?

What can be done if people decide to take rights away from other people? Read the following.

December 1, 1955

WOMAN ARRESTED
WON'T MOVE TO BACK OF BUS

MONTGOMERY, AL - Rosa Parks, a black woman, got on a bus today. When a white passenger got on after her, the bus driver told Parks to let the white passenger have her seat. Parks refused to move and was arrested.

Montgomery's city law keeps blacks separate from whites when they are on buses. People who don't like the law are afraid to speak out because they are in the minority. The majority of city council members don't see anything wrong with having two separate sections - one for blacks and one for whites.

The city's Black Council is calling for a major protest. Parks' trial is set for Monday.

November 3, 1956

CITY'S BUS LAWS UNCONSTITUTIONAL

MONTGOMERY, AL - The U.S. Supreme Court ruled today that Montgomery's buses cannot have two sections—one for blacks and one for whites.

The Court said this law violates blacks' constitutional rights. From now on, blacks and whites may sit next to each other on buses.

In 1955 Rosa Parks bravely defied the segregation laws in Montgomery, AL.

WHAT DO YOU KNOW?

1. What happened to Rosa Parks in 1955? Why?
2. Who made the law that separated blacks and whites?

WHAT DO YOU THINK?

1. Do you think Rosa Parks was found guilty in Montgomery? Why or why not?
2. Do you think it was fair to arrest Rosa Parks?
3. Why do you think the Supreme Court said the law violates the constitutional rights of blacks?

Keep a weekly diary. Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

I think my family and/or friends should know that...

A question I would like to ask is...

UNIT 2: EXPRESS YOURSELF

Look at the picture. What do you think these people are **protesting**? Have you ever seen a protest on television? Have you ever been to a protest?

Cesar Chavez leads workers in a strike.

When people in the United States feel that something is not fair, they often protest and try to change it. The First Amendment protects our right to do this. For example, Cesar Chavez has tried to change the way migrant workers are treated by organizing a union. He gives speeches and organizes meetings and marches where people can show their support for his ideas. People in the government don't always agree with Cesar Chavez, but they can't stop newspapers, magazines, radio, and TV from reporting what Cesar and his friends do. Cesar Chavez can also ask lots of people to sign a letter to someone in government—the President or a senator or a governor or a city council member. The letter may ask for help in changing the way migrant workers are treated. Speaking, writing, meeting, marching, and **petitioning** can make a difference in what the government does.

The First Amendment helps protect Cesar Chavez's right to free **expression** as well as our right to free expression. It doesn't promise that everyone will hear or agree with what Cesar says. It promises that Cesar can use a number of ways to make his ideas heard. The government cannot stop Cesar from speaking.

These people are signing a petition asking the government to support Medicare, Medicaid, and Social Security.

BEFORE YOU READ

The next reading is about a community center that the mayor wants to close. Is there a community center in your neighborhood? What does it do? Do you think what it does is important? Look for the ways the people worked to protest the closing of the center.

Think of an **incident** (something that happened) that made you **outraged** (very angry). What did you do or **announce** (say) to let people know how outraged you were?

VOCABULARY:	incident	announce	protest
	outrage	expression	petition
	committee	letter-writing campaign	

THE LAKESIDE FREE PRESS

Tuesday, October 1, 1991

"The newspaper you can trust"

HUNDREDS PROTEST CLOSING OF CENTER

Almost 200 people came to Lakeside's Community Center Monday to protest its closing.

Bill Wong, the organizer of the protest, said, "The closing of the center is an outrage! Hundreds of kids in our neighborhood use the center. It's a place they can go for good, clean fun. It keeps them off the streets and off drugs. When it's closed, where will they go after school and on Saturdays?"

Mayor Elizabeth Moran announced that the center would be closing in December because "the city needs the money for other projects." Soon after the mayor's announcement, a group of citizens in the Lakeside area formed a **committee** to protest the decision.

The committee organized a **letter-writing campaign** to keep the center open. "We sent 300 letters to the mayor in the first two weeks of this campaign," Wong said.

"We went to shopping malls, grocery stores, and movie theaters. We asked people to sign a petition to the mayor saying they disagreed with her decision to close the center."

The group then went door-to-door, collecting more signatures for the petition. The group got over 1,000 people to sign the petition asking the mayor to keep the center open, Wong said.

Monday's protest was generally peaceful, but Lakeside police reported several incidents.

During the protest, a group of people sat down on the floor of the center's gym and refused to leave. One woman chained herself to the door. The police finally pulled the protestors out of the center.

Next, several teenagers spray-painted "KEEP OUR CENTER OPEN" on the side of City Hall. "Some of the office workers tried to make them stop and the kids threw rocks at them," Sergeant Stacy said. Some teens were taken to the police station.

WHAT DO YOU KNOW?
With a partner, decide in what order these things happened.

A. Protesters organized a letter-writing campaign.
B. Protesters had people sign a petition.
C. They had a protest meeting.
D. They refused to leave the gym.
E. Teenagers spray-painted a sign on a building.
F. Protesters formed a committee to make up a plan.

WHAT DO YOU THINK?
1. Check the forms of protest in the above exercise that you think would be allowed. Why would they be allowed? Why would other forms not be allowed?
2. What do you think would stop the mayor from closing the center?

VOCABULARY REVIEW
1. Complete the following sentences:
   I was **outraged** when...
   The **incident** made me angry because...
   What I did to **protest** was...

2. Find the editorial page in a newspaper. Are there any letters to the editor criticizing the government (the mayor, the governor, the President, city council, the legislature, Congress, or any court decision)? Do you agree with the writer of the letter? Write a letter to the editor about something important to you. Give reasons and examples to help make people believe you.

Hospital workers protest because many of them lost their jobs.

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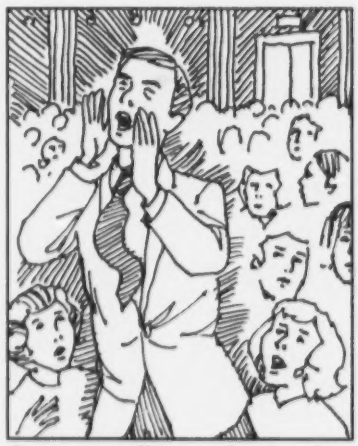
Does the First Amendment Mean That People Have the Right to Say or Write Whatever They Want?

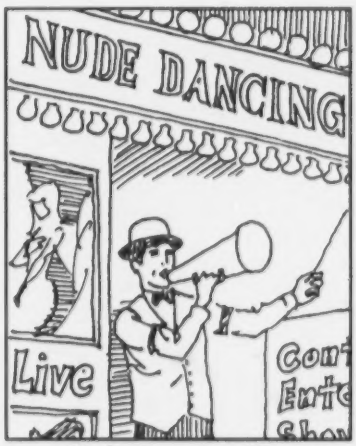
The First Amendment doesn't mean that people can say or write anything they want. There are limits to what people can do to express themselves. If it is clear that the expression will put people in danger, the courts have said that it is not protected. If the expression bothers other people, the courts have said that local governments can make laws about when, where, and how people can express themselves.

WHAT DO YOU THINK?
With a partner, look at the pictures and decide if the First Amendment should protect these expressions.

Boom Box



Person yelling "fire" when there's no fire.



Nude Dancing Sign

Can the Press Print Anything?

In 1931, the Supreme Court had to decide if a state or local government could pass a law to stop a newspaper from printing hate stories about blacks and Jews. A newspaper in Minneapolis, Minnesota had printed stories like this. The state legislators passed a law saying that newspapers could not print this kind of hate story.

Five out of the nine Supreme Court Justices said that the First Amendment protected the newspaper. No state, local, or national government could pass a law stopping the newspaper from saying unpopular or untrue things. If the newspaper said untrue things, the newspaper would be taken to court. The court could then order the newspaper to pay money to the people written about and/or print the truth in the newspaper.

ACTIVITY

Imagine you are newspaper reporters. You have information that you believe is true. People in the government do not want you to print it. Which of the stories below do you think would be protected by the First Amendment? Why?

1. The mayor was seen using cocaine.
2. A judge has been accused of taking money.
3. The Air Force is about to send a spy plane over Iraq.
4. The son of a state representative is a member of a gang.
5. The police have a plan to protect the President when he visits your city. You know the details of that plan.

If you were the editor of the newspaper, which stories would you print? Why?

WHAT DO YOU THINK?

1. Many people say the First Amendment is the most important amendment. Choose as many as you think are true. The right to free speech is important because it can:

   a. Help keep the government from doing things people don't like.
   b. Give people information so they can make better choices when they vote.
   c. Keep peace by encouraging people to use words rather than guns to fight.
   d. Let people say anything they want to at any time.
   e. Let the government know how people feel.

2. What does this statement mean? Why do you think Voltaire said this?
   "I disapprove of what you say; but I will defend to the death your right to say it." — Voltaire

3. Many people believe the right to express yourself is important because it can help improve our government. Free expression is also important in music, art, and literature. Look in the *Readers' Guide to Periodical Literature* for articles on one of the following: 2 Live Crew, Mapplethorpe Exhibit, *Catcher in the Rye* (or censorship in public school).

   Do you think government (including city and school government) should be allowed to stop anyone from listening to, seeing, and/or reading any of the above? Should government "protect" children from listening to, seeing, or reading things that may be harmful to them?

Should Students Have the Same Right to Free Speech as Adults?

VOCABULARY:	violence	official	emotional
	controversy	discipline	opposition

Tinker* v. *Des Moines School District

My name is Mary Beth Tinker. My brother John and I and a few of our friends were outraged during the Vietnam War. We did not believe that the U.S. should be fighting there.

Our parents were outraged, too. They expressed their anger in protest marches. Sometimes the marches ended in **violence**. We wanted students at our school to know how we felt without causing any violence. We decided that wearing black arm bands to school would tell students how we felt. The black arm bands would be a peaceful way of showing our **opposition** to the war.

Mary Beth and John Tinker holding their arm bands.

The school **officials** found out about our plan and passed a rule against wearing the arm bands. They were afraid that there would be violence. We decided to wear them anyway. It was very important for us to be able to express our feelings about the war. In 1965 there was a lot of **controversy** about the war everywhere. I believe school ought to be a place where you can discuss important issues, especially those that are very **emotional**.

Lots of students noticed we were wearing the arm bands. The principal felt nobody would do schoolwork. He was also afraid of fights. There wasn't any fighting. But we were suspended and sent home until we stopped wearing the arm bands. We had broken the school rule.

My parents were very upset. They decided to take the school to court. They believed our right to speak against the war was protected by the Bill of Rights. We lost. The court agreed with the school. They said the school had a right to pass this rule to keep **discipline** in school.

My parents didn't give up. They finally asked the Supreme Court to take the case and decide. Did we have a right to wear the black arm bands because the Bill of Rights says we have the right to free speech?

WHAT DO YOU KNOW?

1. What were the Tinkers protesting?
2. Why did Mary Beth and John wear black arm bands to school?
3. Why were they suspended?
4. Why did Mary Beth and John's parents go to court?
5. What did the court say?
6. Why did Mary Beth and John's parents ask the Supreme Court to take the case?

ACTIVITY

Here are the reasons that Supreme Court Justices used to support their opinions on the case. There are nine Supreme Court Justices. They did not agree. Look at the arguments (reasons). Decide which arguments you agree with.

In favor of letting students wear their arm bands:

1. Students and teachers have a constitutional right to free expression outside of school. They do not give up this right at the school house door. They have this right in school, too.

2. The arm bands did not keep the students from doing their work. Students should be able to express themselves as long as there is discipline in the school.

3. Principals do not have complete power over their students. The parents have power, too. The parents agreed with their children's actions.

Not in favor of letting the students wear their arm bands:

1. People do not have a constitutional right to say whatever they want to say, wherever and whenever they want to say it.

2. The arm bands kept students from thinking about their studies. They started thinking about the emotional subject of the Vietnam War.

3. School principals should have as much power as possible to keep discipline and order in their schools. Principals should not take chances. They should avoid trouble.

WHAT DO YOU THINK?

If you were a Supreme Court Justice, which way would you decide? Why? What does the majority of your class think?

Supreme Court Decision

It takes a majority of Supreme Court Justices to decide a case. Your teacher will tell you what the majority of the Supreme Court thought about the Tinker Case. Compare their opinions with yours. Remember, there were good reasons on both sides. The Supreme Court often has to choose between two good arguments.

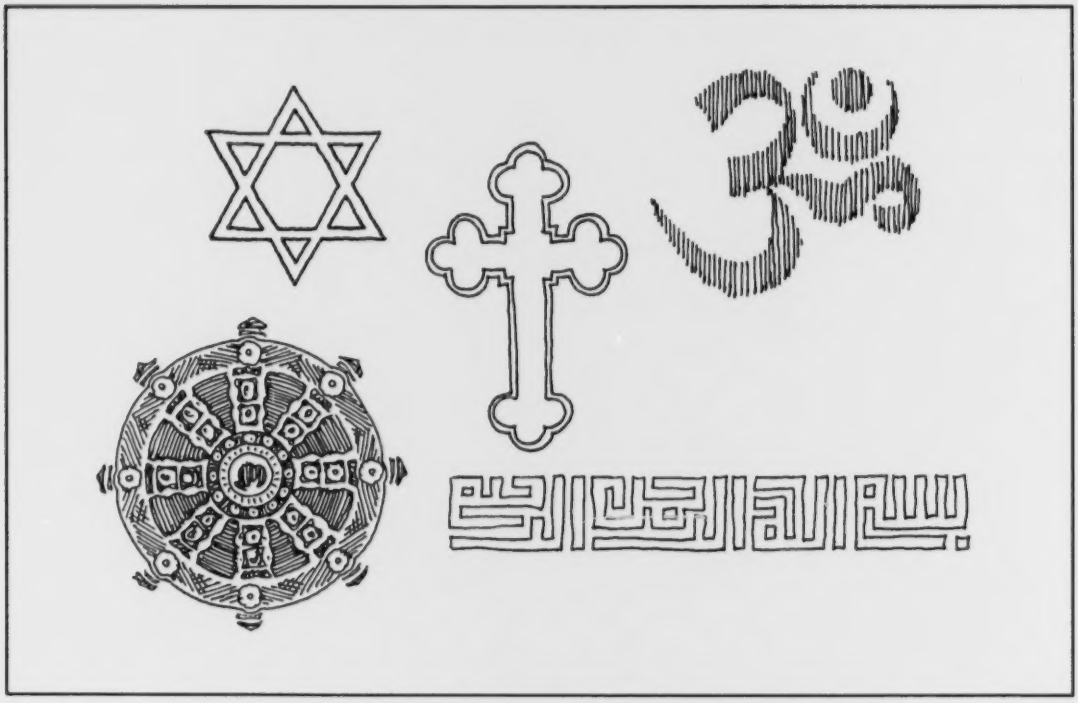
Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that . . .

I think my family and/or friends should know that . . .

A question I would like to ask is . . .

UNIT 3: FREE TO BELIEVE



What religions are represented in this picture? Name as many religions as you can. In your neighborhood, what religions do people belong to? What do you know about them?

People in the United States belong to all kinds of religions. The First Amendment includes the freedom to believe. We are free to believe in the religion that we choose. The government cannot favor one religion over another. It cannot tell people which religion to practice. Americans are free to believe in and practice any religion they want, or no religion at all.

BEFORE YOU READ

Can a teacher begin class with a **prayer**? What is the difference between **public** and **private** schools?

VOCABULARY:	prayer	public	private

DIALOGUE

Hector's Aunt Julia is a teacher in Taylor City High School, a public high school. Hector and his friend Sophie visit Aunt Julia in her classroom after school one day.

Hector: Aunt Julia, today is a religious holiday. Did you say a prayer with your class today?

Aunt Julia: No, I didn't. I can't ask my students to say my prayers with me.

Hector: Why not? I thought the United States was a free country.

Aunt Julia: Yes, it is.

Hector: Then why can't you say prayers with your class? My teacher is always telling us, "This is *my* classroom. *I* make the rules here."

Aunt Julia: That's true. If I taught in a Catholic school, then I could say prayers with my class. You see, a Catholic school is private and doesn't get all of its money from the government. But Taylor City High School is a public school. It gets all of its money from the government.

Hector: But what's wrong with saying a prayer to start the day?

Sophie: There are all kinds of religions at Taylor City High School. Why should the kids have to say prayers in the morning with your Aunt Julia? Some people don't believe in any religion.

Aunt Julia: Well, Sophie, some people do think that prayers should be said in all schools. They believe that praying helps to teach children to be good people.

Sophie: My family teaches me how to be a good person in other ways. We don't say prayers at home.

WHAT DO YOU KNOW?

1. Does Aunt Julia teach in a public or a private school?
2. Can Aunt Julia tell her students in the classroom to say prayers with her?
3. Can a teacher in a private Catholic school say prayers with his or her class?
4. What is the difference between public and private schools?

WHAT DO YOU THINK?

1. Should public school teachers be allowed to say prayers with their classes? Why or why not?
2. Look at the cartoon. Does the cartoonist think religion should be allowed in school? Why or why not?

VOCABULARY REVIEW

Find each word in bold in the dialogue. Think about what the word means in that sentence. Then match the word with its meaning below. Put the correct letter next to the word.

_____ 1. private	a. talking to God
_____ 2. prayer	b. for the use of a certain person or group of people
_____ 3. public	c. for the use of everyone

ACTIVITY

What is the most common religion in your family's native country? What are some other religions there? What religious holidays are national holidays there? Do you think people are free to belong to their own religion in your family's native country?

The next two pages give you a picture of the different kinds of religions in the world and the United States.

Look at the Major Religious Populations in the World chart.

WHAT DO YOU KNOW?

1. Which religion has the largest percentage of people in the world? Which has the least?
2. What countries, other than the United States, have those religions?
3. What percentage of the world population is non-religious?
4. What percentage of the world population is Christian?

WHAT DO YOU THINK?

1. Why did the people who made the chart separate Protestants and Catholics?
2. Should the people who made the chart separate any of the other religions?
3. Did the chart surprise you?

Look at the Major Religious Populations in the U.S. chart. Follow your teacher's instructions on how to complete the chart.

WHAT DO YOU KNOW?

1. Which religion has the largest percentage of people in the U.S.? Which has the least? Compare these to the world chart. Are they the same or different?
2. What percentage of the U.S. population is non-religious? Compare these to the world chart. Are they the same or different?
3. What percentage of the U.S. is Christian? Compare these to the World chart. Are they the same or different?

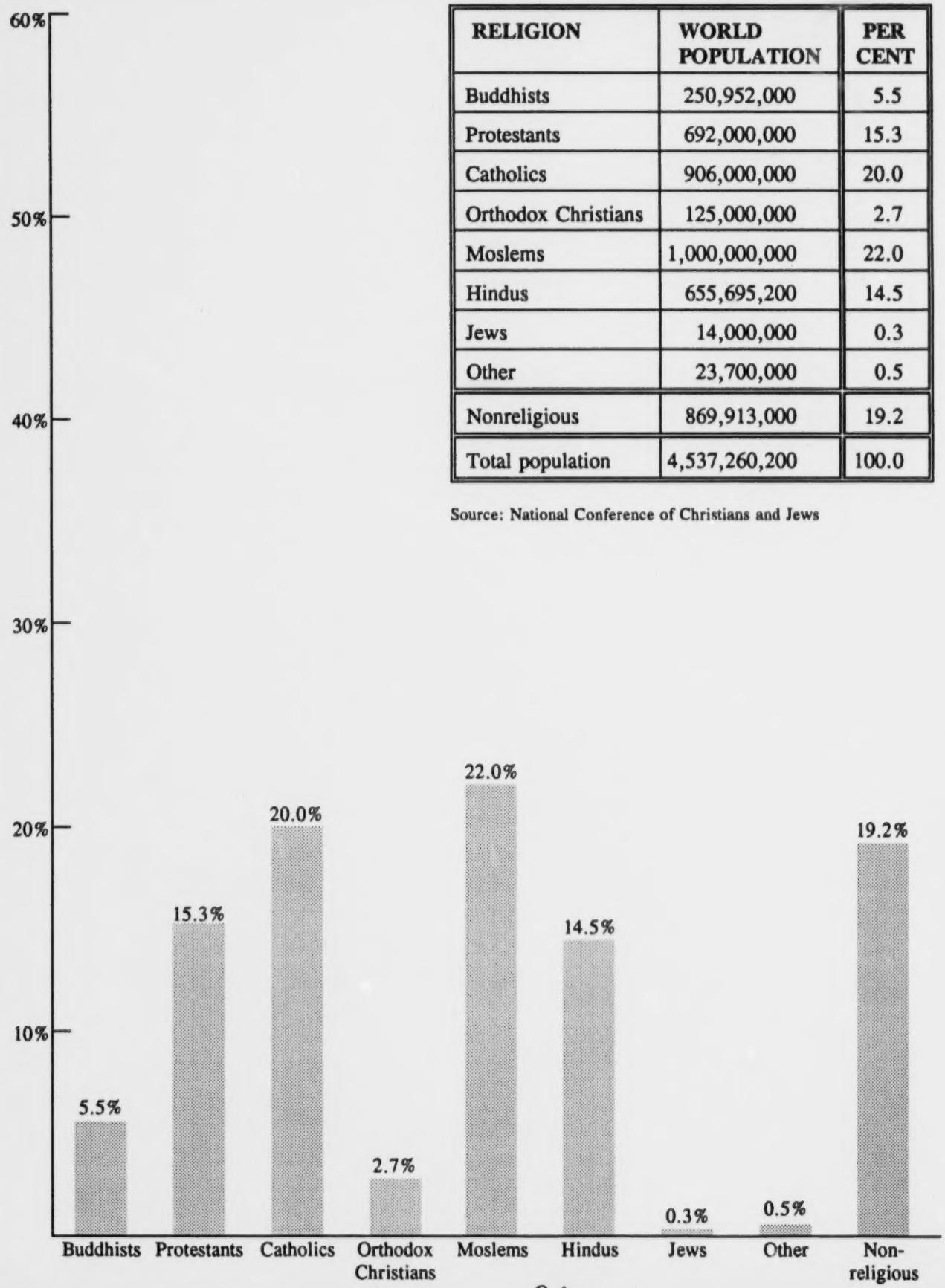
WHAT DO YOU THINK?

Look at the charts. Do you think the people who practice these religions would want their religion to be the official religion of the United States? What might happen if the United States had one official religion?

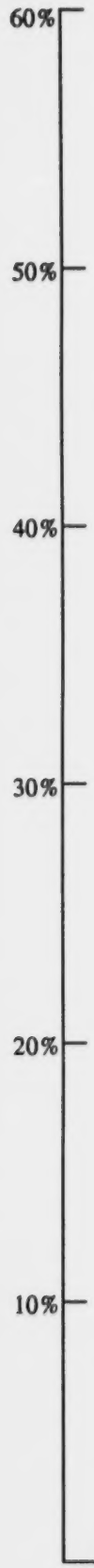
MAJOR RELIGIOUS POPULATIONS IN THE WORLD

RELIGION	WORLD POPULATION	PER CENT
Buddhists	250,952,000	5.5
Protestants	692,000,000	15.3
Catholics	906,000,000	20.0
Orthodox Christians	125,000,000	2.7
Moslems	1,000,000,000	22.0
Hindus	655,695,200	14.5
Jews	14,000,000	0.3
Other	23,700,000	0.5
Nonreligious	869,913,000	19.2
Total population	4,537,260,200	100.0

Source: National Conference of Christians and Jews



MAJOR RELIGIOUS POPULATIONS IN THE U.S.



RELIGION	U.S POPULATION	PER CENT
Buddhists	401,000	
Protestants	105,172,000	
Catholics	46,004,000	
Orthodox Christians	502,000	
Moslems	527,000	
Hindus	227,000	
Jews	3,137,000	
Other	2,267,000	
Nonreligious	17,197,000	
Total population	175,434,000	

Source: ICR Survey Research Group/City University of New York

How Did Religious Freedom Become So Important in the United States?

BEFORE YOU READ
As you read, look for the reason that Anne is on **trial**. Why is she being **persecuted**?

VOCABULARY:	persecuted	guilty	diary
	tolerant	worship	trial
	disagree		

In the 1600s and 1700s, many people left Europe and came to America. Many of them left Europe because their governments persecuted those who **disagreed** with the official religion. They thought they would be free to practice their religion here. In some colonies they were disappointed because they weren't allowed to do that.

Anne Hutchinson was one of those people. She might have written something like this in her **diary** in 1641.

Dear Diary, *Tuesday*

I can't believe I'm being persecuted here, too! God, give me the strength and wisdom to know what to do. My trial is tomorrow.

The people here accuse me of questioning some of the ideas of the Puritan Church and getting other people to follow me. I thought I would be free to worship God in my own way here. I had to leave England because the King wouldn't allow anyone to disagree with the Church of England.

But the Puritans here in America are not tolerant either. If I am found guilty of disagreeing with the Puritan religion, I could be put to death! I believe I am a good Puritan, but I must follow my own beliefs. Why won't the people here let me be free?

Dear Diary, *Thursday*

The trial is over. They found me guilty. Now I'm in prison. They are going to make me leave Massachusetts and I can never come back. I will miss Massachusetts. I hope I can find a place where I can be free to worship God in my own way. If I cannot, I don't want to live.

Anne Hutchinson wasn't the only person who was persecuted for her religious beliefs in colonial America. Other religions also persecuted people who had different religious ideas.

But people of many religions continued to come to the colonies. The idea of personal freedom was strong. People of different religions began to live and work together peacefully.

Anne Hutchinson had to leave Massachusetts because of her beliefs.

VOCABULARY REVIEW
Find the words below in the reading. Think about what the word means in the sentence. Then fill in each blank with the correct answer.

persecuted	**guilty**	**trial**
disagree	**worship**	**diary**
tolerant	**accused**	

1. The Puritans were not _____ of Anne Hutchinson's religious beliefs.

2. In colonial America, some people were _____ of questioning the ideas of the Puritan church.

3. "I am not _____," Anne said at her trial. "I am a good Christian."

4. Anne Hutchinson was _____ because she had different religious beliefs.

5. People write about their lives in a book called a _____.

6. The Puritans put Anne on _____ to decide whether she was guilty or innocent.

7. The King of England did not let people _____ with the official church.

8. The Puritans decided that Anne could not _____ the way she wanted to.

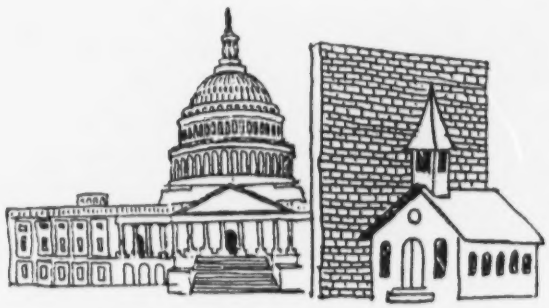
Wall of Separation

BEFORE YOU READ
Who was Thomas Jefferson?

VOCABULARY: separation

Thomas Jefferson was one of the famous people who argued against a national religion in the U.S. This was no surprise. When he wrote the Declaration of Independence in 1776, he said that everyone had the right to life, liberty, and the pursuit of happiness. Liberty or freedom meant, among other things, the right to decide what religion you believed in.

Thomas Jefferson described the First Amendment as "a wall of **separation** between church and state." This affects all levels of government. No government — local, state or national—may favor any particular church.



'Wall of Separation' between Church and State.

Who Was Thomas Jefferson?

Jefferson was born in 1743 and died on July 4, 1826, fifty years after the 13 colonies signed the famous Declaration of Independence saying that they no longer would be governed by England. He was over six feet tall with carrot-red hair. When he stood next to his good friend James Madison, he looked like a giant. Madison was only a little over five feet tall. In addition to writing the Declaration of Independence and helping Madison develop the Bill of Rights, Jefferson was the third President of the United States.

Thomas Jefferson, 1743-1826

WHAT DO YOU KNOW?

1. Can the government favor a particular religion?
2. Can the government make you practice a religion?

WHAT DO YOU THINK?

1. The City Council wants to hire a new Chief of Police. They say that anyone who gets the job must be a Catholic and go to Church regularly. Is the City Council violating the First Amendment?

2. Jonathan is Jewish. He goes to a Catholic school where they make him say Catholic prayers with his class. Does this violate the First Amendment?

3. Charles Chen is a public school teacher. He brings Bibles to class. He has students use the Bible to find out how people lived in Egypt. Is Charles Chen violating the First Amendment?

4. Rachel Goldstein invites friends to her home for Thanksgiving. Rachel says a prayer before eating. Her friends don't want to pray. Is Rachel violating the First Amendment?

5. Max Popov owns Popov's Toyota. He wants to sell cars on Sundays. But his town passed a law making it illegal to sell cars on Sundays. Does the First Amendment protect Max's right to sell cars on Sundays?

Is Religious Freedom Ever Limited?

VOCABULARY: vaccinations disease

Religious beliefs are always protected, but religious actions may not always be protected. For example, some religions don't believe in using doctors or medicine. Families who belong to those religions do not want their children to receive **vaccinations** before they go to school. Most schools require that children get the vaccinations. The vaccinations help prevent them from getting **diseases.** If the children don't get the shots, they may get sick and may give the disease to other children. Therefore, the courts have had to decide which is more important— to protect the right to freedom of religion or to protect all school children from disease. The courts have decided that it is more important to protect children from disease.

WHAT DO YOU KNOW?
Is religious freedom ever limited?

WHAT DO YOU THINK?
A religion doesn't believe it is ever right to kill another human being. Should people who practice that religion have to fight for this country in time of war?

When Rights Conflict: Education v. Religion

VOCABULARY:	community	interfere	fined
	conflict	competition	

Wisconsin v. *Yoder*: Is the Majority Always Right?

This reading is about a Supreme Court case involving a religious **community** called the Amish. The Amish people's religious beliefs **conflicted** with a state law. Some Amish families did not want to follow the law. As you read, look for the law and the reason they didn't want to follow it.

Conflict between Amish and state

The state of Wisconsin passed a law that said all children in the state of Wisconsin must attend school until they are 16 years old. But the Amish believed their children should attend school only until they are 14 years old.

Amish way of life

The Amish people live and work on farms in their own communities. They send their children to elementary schools so they can learn to read and do math. The Amish say that between the ages of 14 and 16 they want their children to study the Bible and learn how to do farm work. They believe that sending their children to high school will **interfere** with their religion. The Amish community believes in cooperation. **Competition** is not valued.

The Yoders and two other Amish families refused to send their children to the public high school. At first, they were **fined** for breaking the state law. In 1972, the Supreme Court looked at the case and tried to consider the reasons and interests of both the state and the Amish religion.

ACTIVITY

Here are some reasons which support both sides—the state of Wisconsin and the Amish. Read each reason and think about it carefully. With a partner, decide which reasons support the state of Wisconsin and which reasons support the Amish. Mark the reasons that you agree with. You may agree with reasons from both sides.

1. Two years of high school education will not prepare Amish children for life on their farms. The Amish children learn by working on their families' farms.

2. Children must learn about our government so they can vote and be active citizens.

3. Parents have a right to teach their religion to their children.

4. The Amish children have a right to choose to attend high school.

5. If children ever choose to leave their Amish community, they will not be prepared for life outside.

6. If Amish children attend high school, they may give up their Amish religion and way of life.

An Amish father and his two sons work in the fields in Ohio.

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VOCABULARY REVIEW

Write sentences to answer the following questions.

1. You are breaking the law if you don't send your children to school. How much do you think you should be **fined** for breaking this law?
2. List three things that might **interfere** with your studying.
3. Sports are very **competitive**. Do you like sports? If you do, what sports do you like?
4. If you have a **conflict** between studying and watching TV, how do you decide what to do?
5. What do you like about your **community**?

WHAT DO YOU KNOW?

1. Why didn't the Amish people want their children to go to school past the age of 14?
2. How do the Amish people live?

WHAT DO YOU THINK?

The following statement is from the Supreme Court's majority opinion. What do you think the Supreme Court decided?

> No one can assume that today's majority is "right" and the Amish and others like them are "wrong." A way of life that is strange but does not bother anyone else's rights cannot be discriminated against just because it is different.

YOU BE THE JUDGE

If you were on the Supreme Court, what would you decide? Does it violate the Yoders' freedom of religion to make them send their children to school until age 16? Or are the state of Wisconsin's reasons important enough to limit the Yoders' religious actions?

Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

I think my family and/or friends should know that...

A question I would like to ask is...

UNIT 4: IT'S ABOUT PRIVACY

Police officers search a vehicle.

What if the police could come and look in our houses and offices whenever they wanted to? How would we feel?

You and your classmates will role-play the situations below. Use at least one of the new vocabulary words in your role-play. How would you feel if these stories happened to you?

VOCABULARY:	privacy	security	anonymous
	trunk	search	

In Your House

A police officer bangs on an apartment door late at night. She wants to **search** for drugs. She says, "It's the police. Open up. I know you have drugs." The person says, "I don't have any drugs." The officer kicks the door in and enters the apartment. The person screams.

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At the Airport

A man is going through the **security** machine at the airport. It buzzes. The airport security person asks the man to empty his pockets. He refuses. The security person says that the man cannot board the plane. He shouts, "I paid for the ticket. This is the United States and you have no right to see what is in my pockets. I don't want to miss my plane."

In School

A student is in the hall in front of his locker. The principal asks if that's his locker. The student says "yes." The principal says, "I received an **anonymous** phone call saying you sell drugs." The principal opens the locker and starts going through the student's books and coat. The student says, "I don't sell drugs. You have no right to look in my locker." The principal does find a note from the student's girlfriend and puts it in his pocket.

WHAT DO YOU KNOW?

What happened in each situation?

WHAT DO YOU THINK?

1. What might be the reasons for the search in each scene? Are they good reasons? Why or why not?
2. What might be the reasons why the person objected to being searched? Are they good reasons? Why or why not?

The three situations you just saw acted out by your classmates all involve **privacy**. As you saw, each situation involved a search. The people being searched in each situation were unhappy. Their unhappiness with the search was probably because they felt their privacy was being taken away.

Make a list of things you believe should be private.

STAY OUT OF MY HOUSE

Before the American Revolution, the English government often searched houses and businesses of American colonists. The English government wanted to stop people from bringing things into the colonies without paying taxes. Too many people were not paying their taxes. The English government said it needed the tax money.

These searches were allowed because judges issued orders that allowed general searches. A typical order said:

> "OFFICERS CAN BREAK INTO ANY SHOP OR PLACE SUSPECTED AND BREAK OPEN DOORS, TRUNKS AND OTHER PACKAGES."

The colonists did not like these general searches. Many said they violated the colonists' privacy. The colonists were so angry about the searches that they included them in their list of complaints in the Declaration of Independence.

When the Bill of Rights was added to the Constitution in 1791, the Fourth Amendment did not allow searches like those used in colonial times.

WHAT DO YOU KNOW?

1. What was the English government looking for when they searched?
2. Why were the colonists upset about the searches?
3. Does the Fourth Amendment allow general searches?

WHAT DO YOU THINK?

1. Were the colonists right to be angry about the general searches? Why or why not?
2. Do you think the colonists thought privacy was important? Why or why not?

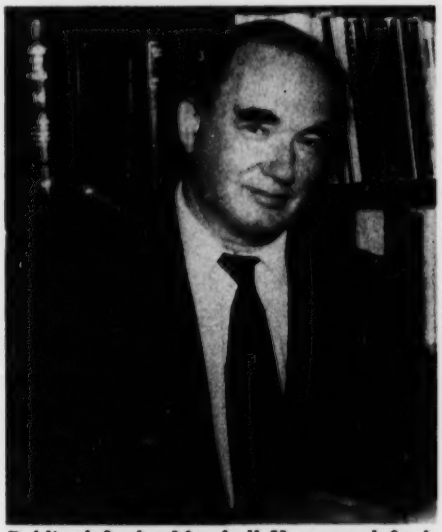
All About Searches

BEFORE YOU READ

1. What reasons do you think government officials should have before they search?
2. Do you know anything about how government officials search in other countries?

VOCABULARY:

seizure	government officials
expectation	unreasonable
balance	



Public defender Marshall Hartman defends poor people who are charged with a crime.

Interview With Marshall Hartman

Public Defender, Lake County, Illinois

The Fourth Amendment is not simple. In this interview, Marshall Hartman, an attorney, will explain many of the important ideas in the Fourth Amendment. He will also tell you how he feels about the Fourth Amendment.

PART I

1. **The Fourth Amendment protects your privacy. What does privacy mean?**

It means that **government officials** cannot come into your house unless there is a good reason. It means that when you walk down the street, or drive in your car, the government will not bother you unless they think you are doing something wrong.

2. What is a search?

A search occurs when the government (for example, the police) looks into something that is private. If the police come into your house and read through your letters, that is a search.

3. What is a seizure?

A **seizure** happens when the government takes something that is yours into its control. For example, if the police take your letters back to the police station, that is a seizure.

4. Does the Fourth Amendment stop all searches?

No. The Fourth Amendment allows reasonable searches.

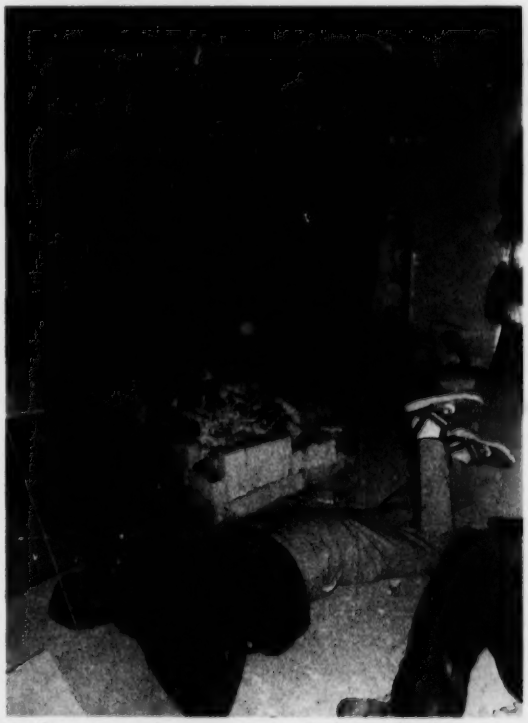
5. How can you tell whether a search is reasonable or unreasonable?

This is often very hard to do. In general, the courts use two ways to decide if a search is reasonable or **unreasonable**. The first is how strong the **expectation** of privacy is in the place that was searched. You have a very strong expectation of privacy in your house, but not as much in your car. But suppose you are walking down the street with a machine gun in a clear plastic bag. Your expectation of privacy is very weak because the police can see right into the bag. They know you have something that is illegal.

6. What is the second way the courts determine if a search is reasonable or unreasonable?

The second way is called the **balancing** test. In this test, the courts balance a person's right to privacy against what is good for most people.

For example, in Michigan, the police often set up road blocks to stop every car and see if the driver is drunk. The Supreme Court ruled that this was a reasonable search. It was more important to stop drunk driving than it was to give people privacy in their cars.



Police search a suspected drug dealer.

WHAT DO YOU KNOW?

1. What is the difference between a search and a seizure?
2. What are the two ways the courts use to decide if a search is reasonable or unreasonable?

WHAT DO YOU THINK?

1. Should it be difficult or easy for government officials to search? Why?

Interview with Mr. Hartman, Part II

BEFORE YOU READ
When do you think it is wrong for the police to make a search?

VOCABULARY:

warrants	probable cause	issue
guarantee	evidence	crime

1. The Fourth Amendment says that police must get a search warrant to search somewhere private. The Fourth Amendment also says the police must have probable cause to search. What do the police need to prove probable cause?

They must have a good reason to believe that the person has committed, or is about to commit, a **crime**.

2. Who approves search warrants?

A judge **issues** a search **warrant** after the police have provided him or her with specific information.

3. Why not just let the police approve their own warrants—wouldn't that save time?

People in this country are very afraid of giving the police too much power. If the police could approve their own warrants, they might abuse their power. The judge makes sure the police have **probable cause** (good reasons) to search.

4. Do you think the Fourth Amendment is important?

The Fourth Amendment is important because it helps protect our privacy. The Fourth Amendment **guarantees** that we can have private lives, see who we want, and read what we want. We have the right not to be afraid that we will be searched by the police unless they have good reason to believe we have done something wrong.

WHAT DO YOU KNOW?
What does "probable cause" mean?

WHAT DO YOU THINK?
Do you agree or disagree with Mr. Hartman's view about the importance of the Fourth Amendment? Why or why not?

VOCABULARY REVIEW

seizure	government	officials	expectation
guarantee	unreasonable	warrants	crimes

As a group, make up a story using the words listed above about police officers who are looking for a gang that steals cars.

What Does Mr. Hartman Think?

ACTIVITY: In your small groups, read each of the following statements. Based on what Mr. Hartman said in the interview, do you think he would (a) agree with it, (b) not agree with it, or (c) you cannot tell based on what he said in the interview. The first one has been done as an example for you.

"The police should be able to approve their own search warrants."

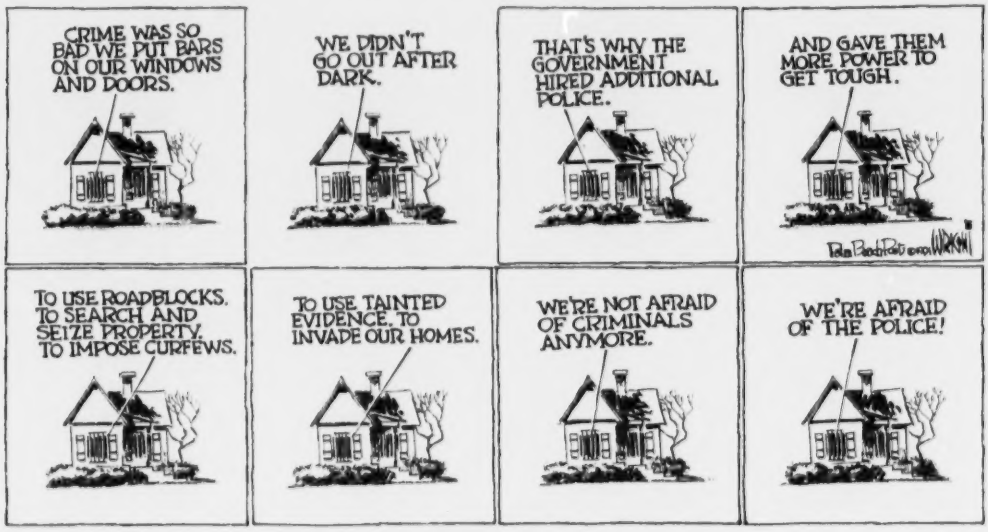
Mr. Hartman would not agree with this statement. See his answer to question 3 in Part II.

"It is important for people to have their privacy protected."

"The Fourth Amendment is the most important part of the U.S. Constitution."

"Police officers usually break into houses without warrants."

"It is more important for the government to have power than it is for people to have rights."


CRIME WAS SO BAD WE PUT BARS ON OUR WINDOWS AND DOORS.
WE DIDN'T GO OUT AFTER DARK.
THAT'S WHY THE GOVERNMENT HIRED ADDITIONAL POLICE.
AND GAVE THEM MORE POWER TO GET TOUGH.
TO USE ROADBLOCKS. TO SEARCH AND SEIZE PROPERTY. TO IMPOSE CURFEWS.
TO USE TAINTED EVIDENCE. TO INVADE OUR HOMES.
WE'RE NOT AFRAID OF CRIMINALS ANYMORE.
WE'RE AFRAID OF THE POLICE!

What Should a Search Warrant Include?

Search warrants do not give the police the right to search where, when, and what they want. The Fourth Amendment says that search warrants must describe "the place to be searched, and the person or things to be seized." This means that the warrant must state where the police can make their search and exactly what they are looking for. A search warrant should include:

1. what will be searched;
2. who or what will be seized;
3. what **evidence** (probable cause) there is to justify the search and seizure;
4. the signature of the person (usually a police officer) providing the evidence; and
5. the signature of a judge or magistrate.

Should These Warrants Be Issued?

Look carefully at the requests for Warrant One and Warrant Two on the next pages. Use the following checklists to see if the warrants have everything they're supposed to have.

Warrant One			Warrant Two	
YES	NO	...DOES IT HAVE...	YES	NO
		what will be searched		
		who or what will be seized		
		probable cause		
		signature of police officer		
		signature of judge		

WARRANT ONE

Complaint For Search Warrant

Officer Maria Perez now appears before the judge and requests a search warrant to search Bob Brown at 100 East Street, Wood, Illinois and seize anything that is illegal or is evidence that a crime has, or is about to be, committed

Officer Perez says that he/she has probable cause to believe, based on the following facts, that the above listed things to be seized are now located on the person and place described above. Bob Brown has been in a lot of trouble in the last year. He was arrested twice for possession of illegal drugs. I think he probably has drugs in his house now. His house should be searched.

Officer Maria Perez (signature)

Officer Maria Perez

Signed and sworn to before me on
January 2 1991
Judge Vincent

Judge Vincent

WARRANT TWO

Complaint for Search Warrant

Officer Maria Perez now appears before the judge and requests a search warrant to search Bob Brown at 100 East Street, Wood, Illinois and seize marijuana.

Officer Perez says that he/she has probable cause to believe, based on the following facts, that the above listed thing to be seized is now located on the person and premises listed above. On December 29, 1990, a reliable informant told me that Bob Brown was selling marijuana. He said that Bob Brown would deliver several pounds of marijuana on December 30, 1990. He would be driving a blue van. Acting on this information, the Wood Police Department watched the house. On December 30, 1990, officers observed the arrival of the blue van and the unloading of several boxes. During the next few days, several people arrived at the house, stayed a short time and left.

Officer Maria Perez (signature)

Officer Maria Perez

Signed and sworn to before me on
January 2 1991
Judge Vincent

Judge Vincent

Why Don't the Police Always Need Warrants?

The courts have said that the police can make some searches without warrants. Listed below are examples of searches that would be legal without a warrant. As you read them, try to think of a reason why a warrant would not be needed.

The Case of the Smoky Car

After stopping a car that has gone through a red light, the police officer asks the driver to roll down his window. Lots of smoke comes out of the window. The police officer thinks it is marijuana smoke. He orders the driver out of the car and searches the entire car.

Why wouldn't a warrant be required?

The Case of the Screaming Child

A police officer hears a child screaming, "Help me, I think he is going to kill me." The scream is coming from an apartment. The police officer runs to the apartment. The child is still screaming. The officer breaks the door down and finds a man holding a knife to the child's throat. The officer and her partner arrest the man and then search the man's pockets.

Why wouldn't a warrant be required?

Here are some other situations of when the police do not need warrants.

Stop and frisk
A police officer sees someone who looks like he is carrying a gun. The police officer stops him and searches him to see if he has a gun.

Emergency
The police search everyone's locker because they get a call saying there is a bomb in someone's locker.

Arrest
The police arrest someone for murder. They search him to see if he has a knife or gun.

Right in plain view
The police see boxes of television sets on the sidewalk. The boxes are from a store that has been robbed. They search the boxes.

Consent
The owner of a house agrees to let the police search it.

Hot pursuit
A police officer sees someone rob a store. The officer chases him. The robber runs into an apartment. The police officer breaks into the apartment and searches it.

What Should Happen If the Police Don't Obey the Fourth Amendment?

VOCABULARY:	grabbed	gamble
	obscene materials	handcuff
	prosecuting attorney	convicted

The Fourth Amendment protects people against "unreasonable searches and seizures." But it does not say what should happen if the police act illegally. This has been left to the courts. The Supreme Court heard an important case 30 years ago. In the case, they had to decide what should happen when state or local police act illegally. The case was *Mapp* v. *Ohio*.

What happened to Dollree Mapp?

Dollree Mapp lived with her teenage daughter in a two-story house in Cleveland, Ohio. On May 23, 1957, police officers arrived at Mapp's house. They were looking for a person wanted for a bombing and for evidence of **gambling**.

Dollree Mapp in May 1957.

Mapp refused to let the police into her house. They forced their way into her house. Mapp wanted to see a search warrant. An officer produced a paper which he said was a search warrant. Mapp **grabbed** it and put it down her blouse. The two struggled and the police got the paper back. The police put **handcuffs** on Mapp and dragged her upstairs.

The police then searched Mapp's house, starting with her bedroom. They looked in her dresser, closet, suitcases and a photo album. They searched other rooms. In the basement, the police found **obscene materials** in a trunk. Mapp said the trunk belonged to a person who used to live in the house.

Mapp was arrested for having obscene materials. Before her trial, her lawyer said that the evidence should not be allowed in the trial. He said that the police had acted illegally because they did not have a search warrant. The **prosecuting attorney** said the evidence should be allowed. He said the police had a warrant, but it was lost. He did not produce the warrant in court.

The judge had to decide whether to allow the evidence in court. What do you think? Should the evidence (the obscene material) have been allowed? Remember that without the evidence, the police would have no case against Mapp. She would go free. With the evidence, it was more likely that Mapp might be **convicted**. If convicted, she would go to prison.

WHAT DO YOU KNOW?

1. What did the police find in the trunk?
2. Why was Mrs. Mapp arrested?
3. Did the police have a warrant to search Mrs. Mapp's house?

WHAT DO YOU THINK?

You Be The Judge

Imagine that you are the judge hearing Mapp's case. Her attorney has asked you not to allow the obscene materials as evidence. The prosecuting attorney has asked you to allow the obscene materials as evidence.

Look at the following list of arguments. Some of them support Mapp's position, while others support the prosecuting attorney's position. Decide which arguments support which position and mark them with "M" for Mapp or "S" for the state of Ohio (the prosecuting attorney's position).

1. Criminals, like Mapp, should not go free just because the police did not get a warrant. Without the evidence, there will be no trial. If Mapp committed a crime, she should be punished.

2. The Fourth Amendment does not say that evidence obtained without a warrant should be kept out of court. If the writers of the Bill of Rights had wanted that to happen, they would have put it in the Fourth Amendment.

3. The police should be role models for other people. If they are allowed to violate the Constitution without being punished, then other people will not respect the Constitution either.

4. If the evidence is not allowed into the trial, other police officers will learn they must get search warrants. It will keep police from becoming too powerful.

VOCABULARY REVIEW
Complete the following sentences:

1. If someone is **convicted** of a crime . . .

2. The **prosecuting attorney** will try to prove that . . .

3. Maria's grandmother **gambled** when she . . .

4. The man had on **handcuffs** because . . .

5. She **grabbed** . . .

6. When the police found **obscene materials** in her trunk, Mapp said...

What Did the Judge Do?

The Ohio trial judge allowed the evidence to be used in court. Mapp was convicted and sentenced to one to seven years in the Ohio Women's Prison. She appealed her conviction. In her appeal, she said that the judge made a mistake: the evidence should not have been used in the trial. She lost her appeal, so she appealed again. This time she asked the highest Court in the land to take her case, the United States Supreme Court.

The Supreme Court Takes the Case

In 1961 the Supreme Court ruled in the case of *Mapp* v. *Ohio*. The question they had to answer was, "Should illegally obtained evidence be allowed in state courts?" Their ruling was important because it would affect the entire country. The Supreme Court ruled that Mapp's privacy rights had been violated. The Court said that if the state gets evidence against a person in an illegal way, that evidence cannot be used in the person's trial.

The Supreme Court's decision in *Mapp* v. *Ohio* created a lot of controversy. Many people thought it was the right decision. They said it would put "teeth" into the Fourth Amendment. Other people thought it was the wrong decision. They said it would increase crime and was soft on criminals.

Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

I think my family and/or friends should know that...

A question I would like to ask is...

UNIT 5: RIGHTS OF THE ACCUSED

When you find out that someone has been arrested and accused of a crime, what do you think about that person? Do you say to yourself, "I think that person is guilty" or "I think that person may be innocent"?

VOCABULARY:	due process	innocent	jury

Imagine that you are the person in the picture. You have just been arrested. You know you did not do anything wrong. You are **innocent**. The police have made a mistake. The Fifth, Sixth, and Eighth Amendments will help keep you from being punished. They help protect innocent people. These Amendments describe the way you should be treated if you are accused of a crime.

In the United States **a person is innocent until proven guilty.** This means the government must use **due process** (fair procedure) to prove that a person is guilty.

Some of the rights that help make the process fair are:

- You must be told what you are supposed to have done.
- You cannot be forced to admit you did anything wrong.
- You can have a lawyer to help defend you.
- You must have a public trial and can have your case decided by a **jury**.

Many people support these rights because they protect the innocent. Other people say that these rules can make it hard to convict the guilty. They say that many guilty people are not punished for the crimes they commit.

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The Miranda Decision

BEFORE YOU READ

If the police arrested you, who could help you? Who would you want to call? What could that person do for you?

VOCABULARY:	charged	sentenced	confession

In 1963, 23-year-old Ernesto Miranda was arrested and **charged** with kidnapping and rape. He did not ask to see a lawyer. He answered the questions asked by the police. At first, Miranda said he was not guilty. Later he admitted he was guilty. At his trial, he was found guilty and **sentenced** to 20 to 30 years in prison.

Miranda's case brought an important change in the way police treat the people they arrest. The Supreme Court said in 1966 that Miranda's **confession** (admission of guilt) could not be used as evidence. The Court said that he may not have known what his rights were. He should have been told he had a right to a lawyer and that he did not have to say he was guilty. Without a lawyer, people can become frightened or confused. They may say things that aren't true just to stop the police from asking any more questions. It is not enough that these rights are in the Constitution. People must know them. The police must tell people they arrest about their rights before asking them questions. These rights are listed below.

WHAT DO YOU KNOW?

1. Did Ernesto Miranda confess to the crimes charged against him?
2. What did the Supreme Court say about Miranda's confession?
3. What important change resulted from the Miranda decision?

WARNING AS TO YOUR RIGHTS

You are under arrest. Before we ask you any questions, you must understand what your rights are.

You have the right to remain silent. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.

If you cannot afford a lawyer and want one, a lawyer will be provided for you.

If you want to answer questions now without a lawyer present you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer. P-4475

Miranda Rights 57

WHAT DO YOU THINK?

Do you agree or disagree with following statements? Why or why not?

1. Innocent people would never confess to a crime they did not commit.
2. I'd rather let a thousand guilty people go free than see one innocent person convicted.

ACTIVITY: THE ROBBERY OF JOE'S LIQUOR STORE

The following sentences tell a story about some people who are arrested. They have committed a crime. The sentences are not in order. Put the sentences in each part in order so you can tell what happened. Hint: In each Part, look for the time given and start there.

People in the story: **LUISA, TOM, JOE, POLICE OFFICER DIAZ, TWO POLICE OFFICERS**

PART I

____ "You lazy bum, I don't owe you a cent," Joe answers.

____ Tom says to Joe, the owner, that he wants the $30 that Joe owes him.

____ Luisa and Tom walk into JOE'S Liquor Store at 8 p.m. Thursday night.

____ Joe and Tom continue to shout at each other, arguing about the $30.

PART II

____ Tom grabs Luisa and they run out of the store.

____ Keeping his gun pointed at Joe, Tom tells Joe to give them the store's money.

____ Suddenly, at 8:15 p.m., Tom pulls a gun from his pocket and points it at Joe.

____ Joe takes money out of the drawer and gives it to Tom.

PART III

____ "Are you Tom Williams and Luisa Jones?" one of the officers, named Diaz, asks. "You are under arrest."

____ At 10 p.m., three police officers stop Tom and Luisa as they walk down Marshall Street.

____ "But I don't have a lawyer!" Luisa shouts. "It wasn't my fault. I didn't know he had a gun!"

____ "You have the right to remain silent," Officer Diaz says. "Anything you say can and will be used against you. You have the right to speak to a lawyer and to have the lawyer present during questioning."

IN YOUR COMMUNITY

Find out what your local police do if the suspect is deaf or speaks another language. How do they tell such people their Miranda rights?

VOCABULARY REVIEW

Find the words below in the reading on Miranda. Think about what the word means in the sentence. Then fill in each blank with the correct answer.

charged **confessed** **sentenced**

1. After the police arrested Miranda, they _____ him with the crimes of kidnapping and rape.

2. Miranda later _____, saying he did commit the crimes.

3. Miranda was _____ to 20 to 30 years in prison.

POLICE CALL

BEFORE YOU READ

Imagine you have to hire a very good police officer. Think of 5 to 10 words that describe the police officer. Write a help-wanted advertisement to find someone for the position.

ACTIVITY: How Do Rules and Laws Affect the Police?

In this activity, you will divide into groups and role-play three situations involving the police. Some of you will be teenagers, some of you will be adults, and some of you will be police officers.

Scene One

Situation: A group of students is standing in front of a restaurant during school hours. The students are making a lot of noise and stopping people from walking into the restaurant. The owner of the restaurant calls the police.

Role-play: You are with a group of your friends. You went to the restaurant for lunch and didn't hear the school bell. Since you were too late to get into school, you hang out talking and playing with your friends. The police arrive.

Police Call: You are called by a local store owner because a number of students are making a lot of noise and can probably be picked up for not going to school.

Scene Two

Situation: A husband and wife are fighting and screaming at each other. The neighbors call the police because the fighting sounds violent.

Role-play: You are fighting with your husband or wife. He or she makes you so mad that you have to scream. You don't even think about the neighbors.

Police Call: You are called by the neighbors of a couple who are fighting loudly. You don't know what it's about. You know that many homes have at least one gun.

Scene Three

Situation: A car full of teenagers is driving around late Saturday night. A police car follows them and tells the driver to stop the car.

Role-play: You are in a car with your friends. You are trying to find a party that your cousin is giving. You don't know the area very well. You are lost.

Police call: You see the car full of teenagers drive by. It's late on a Saturday night and you know that there are drunk drivers on the road. You also know that the neighborhood has had a lot of robberies. You follow the car and signal it to stop.

WHAT DO YOU THINK?
After you have finished the role-plays, talk about the following questions as a class.
1. What happened in each situation? Look at the words which describe a good police officer. Can you use any of these words to describe what these police officers did?
2. Was the situation realistic? How did the people and the "police officers" feel towards each other? How do you think people really involved in a situation like this would feel and act?

What To Do If You Feel a Police Officer Has Mistreated You

- Try to get the officer's badge number and name while it is happening.
- Call your local police department and ask for the office that listens to complaints. Usually, they will hear your complaint and have someone investigate it. After looking at the situation, they may decide to bring action against the officer(s) that were involved or dismiss the case.
- Also call the office of the American Civil Liberties Union (ACLU) closest to you. You can find the number in the telephone book. The ACLU gives information and help in the area of civil rights.
- Consult a private attorney.

Write a paragraph about what you learned from the POLICE CALL activity.

DO UNDOCUMENTED IMMIGRANTS HAVE RIGHTS?

Yes. If they are arrested by the police or immigration officers, they do have rights. They have a right to call a lawyer and to be represented by a lawyer in front of a judge. Usually, they have the right to be released until their case goes to trial if they can pay a certain amount of money. They have the right to a fair trial. They also have many of the other rights written about in this book.

What Does a Lawyer Do?

The Miranda warning tells people they have the right to talk to a lawyer. Why should people talk to a lawyer? What can a lawyer do for a person accused of a crime? Remember that in the United States, you are innocent until the government can prove you are guilty.

Lawyers pass a special test so that they can advise people in legal matters. Some lawyers, such as public defenders and prosecutors, work for the government, while others work for themselves or with a group of other lawyers.

I'm a public defender, which means I work for the government. I defend poor people who are charged with a crime and who can't pay for a private attorney.

As a prosecutor, I also work for the government. In criminal cases, it is the government who brings charges against a person. I try to prove that the accused person is guilty of the crime.

I'm a private attorney. I work with a group of other attorneys or for myself. In civil cases, either side of the disagreement can hire me to represent them. In criminal cases, an accused person may hire me to defend him or her.

Gideon v. *Wainwright*: The Right to a Lawyer

VOCABULARY: civil provide

Any person accused of a crime has the right to have a lawyer represent him or her. But some people don't have money to pay a lawyer. In 1961 Clarence Earl Gideon said he did not get a fair trial because he did not have a lawyer. He did not have the money to pay a lawyer.

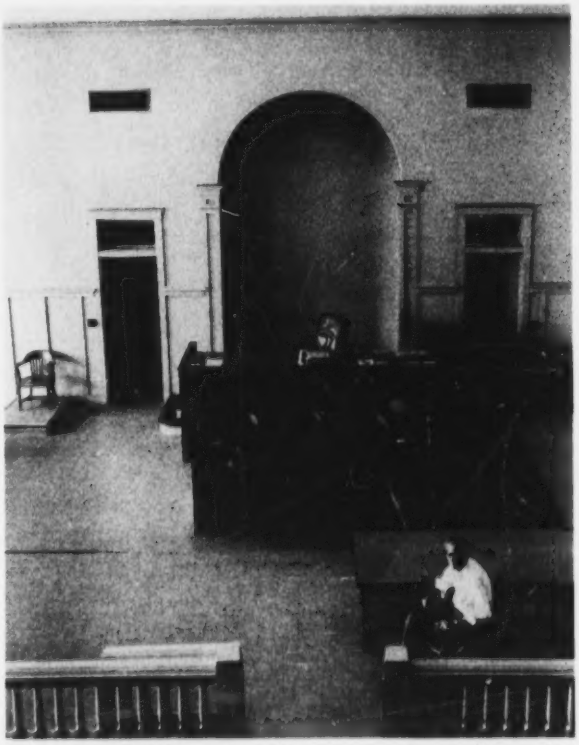
Accused of a crime

Clarence Earl Gideon, 51 years old, had no one to help him when he was accused of breaking into a bar in a small Florida town in 1961.

No free lawyer

He asked the court to **provide** one for him free. But the state of Florida only provided a lawyer for a person who could be put to death if found guilty. The crime that Gideon was accused of was not serious enough for that punishment. Most states provided free lawyers to people accused of serious crimes if they were not able to pay. Florida was one of five states that did not do this. The Florida legislature thought that providing free lawyers would cost the state too much money. Besides, the Bill of Rights did not say that a state had to pay for a lawyer for someone. It only said that people have the right to a lawyer when they are accused of a crime.

Gideon had to defend himself in his trial. He was found guilty and sent to prison for five years.



Clarence Gideon in the courtroom where his fight for a free lawyer began.

Supreme Court review

While he was in prison, Gideon wrote to the Supreme Court, asking it to decide his case. He did not get a fair trial, he said, because he did not have a lawyer. He was too poor to hire one. In 1963 the Court said it would decide Gideon's case.

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WHAT DO YOU KNOW?

1. Why didn't Gideon hire a lawyer?
2. Why didn't the state of Florida provide a lawyer for him?
3. How did the Supreme Court find out about Gideon's case?

WHAT DO YOU THINK?

1. Do you think Gideon had a fair trial without a lawyer?
2. Do you think a state should provide free lawyers for people accused of a crime who are too poor to hire a lawyer? Explain.

Supreme Court Decision

After hearing Gideon's case, all of the Supreme Court Justices voted in favor of Gideon. They agreed that the states must provide free lawyers to all poor persons accused of a serious crime that could put them in prison. The Court thought that a person needed a lawyer in order to get a fair trial. Since the government has lawyers to prosecute an accused person, the accused person should have a lawyer, too.

This right comes in part from the Sixth Amendment, which says that in criminal cases, people accused of a crime have the right to be helped by a lawyer.

WHAT DO YOU KNOW?

Complete each sentence by choosing the correct ending.

1. When Gideon was accused of breaking into a bar, he
   a. hired a lawyer to defend him in court.
   b. left town as fast as he could.
   c. asked the state to give him a lawyer.

2. Gideon did not hire a lawyer to help him in court because
   a. he hated all lawyers.
   b. he was too poor to pay a lawyer.
   c. he did not know he would need a lawyer.

3. Gideon believed his trial was not fair because
   a. the judge did not like his religion.
   b. the state would not pay for a lawyer to help him.
   c. he was not told what the charge against him was.

4. In the Gideon case the Supreme Court said that
   a. in criminal cases, people should have the help of a lawyer.
   b. in criminal cases, people have the right to a lawyer only if they can pay for one.
   c. poor people cannot defend themselves in court.

Right to a Lawyer in Civil Cases

We know that a person accused of a crime such as murder has the right to a free lawyer. Does a person who wants a divorce or who is sued by another person have the same right?

These people do not have the right to a free lawyer because these cases are not criminal, they are **civil** cases. The Legal Services Corporation is funded to help people with legal difficulties in such things as housing, immigration, or family problems. Call your state or city bar association for the legal services program in your area and other organizations that can help.

Right to a Jury Trial

BEFORE YOU READ
Imagine the police said that you robbed a store. You have a lawyer to help defend you. A group of people will be chosen to decide if you are innocent or guilty. Do you think everyone will be fair and listen to your side of the story?

VOCABULARY:	impartial	jury

The Sixth Amendment says that all persons accused of a crime have "the right to a speedy and public trial" by an **impartial**, or fair, **jury** (a group of people).

Trial by jury helps prevent judges from becoming too powerful. A jury is usually 12 people who will listen to both sides and make a fair decision.

Jury sitting in a courtroom.

Fair trial

Members of a jury are picked from a group of citizens who live in the accused person's community. Before a citizen becomes a juror, the trial judge and lawyers will ask him or her some questions. These questions will show if the person can be a fair juror. People who cannot be fair are not allowed on the jury.

Who should be picked?

Think back to Gideon's case. Do you think the following people would be allowed on the jury for that trial:

- Gideon's brother?
- a police officer?
- Gideon's best friend?

Not every trial is by jury

Everyone has the right to a jury trial, but that doesn't mean a jury decides every case. Most cases are not decided by juries. Many accused persons admit they are guilty. Then they do not have a trial. Also, an accused person can choose to have a jury or a judge decide the case.

Will I Ever Serve On a Jury?

All citizens may be asked to be on a jury. Some people can't participate because of job difficulties or health problems. But the right to a jury trial depends on people in the community serving as jurors. To protect this right for everyone, people must be willing to give their time to be on a jury.

Time on a jury isn't wasted; people who serve as jurors usually find it a helpful learning experience. It is one of the most important ways in which people can help make our courts work fairly.

WHAT DO YOU KNOW?
1. What is a jury?
2. What is one reason why the Bill of Rights included trial by jury?
3. How are juries chosen?

WHAT DO YOU THINK?
1. If a Hispanic person is accused of a crime, should all the jurors also be Hispanic?
2. Why are most cases not decided by juries?

Punishment Must Fit the Crime

VOCABULARY:	punishment	death penalty	execute
	cruel and unusual	murder	

The Bill of Rights also says that a person who is found guilty should have a fair **punishment**. The Eighth Amendment protects people from "**cruel and unusual** punishment." What is cruel or unusual?

The Supreme Court has said that the punishment should fit the crime. In other words, a person can't be put to death for driving without a driver's license. In colonial America, however, a person could be hanged if he was found guilty of stealing something three times. Today, that punishment seems cruel.

Death Penalty

Each state has the power to decide its own punishments for crimes. Fifteen states do not allow the **death penalty**. Others say it can be given only for certain kinds of **murders**, such as murdering a police officer or killing someone in an especially cruel way.

ACTIVITY

When a person has been tried and found guilty of a crime, the judge usually chooses the punishment. The judge must follow rules set by law. The judge will consider the person's past history, the person's attitude toward the crime, and the best interests of society. Usually, the guilty person must either pay money, spend time in prison, or do something to help the community.

Look back to the story about the robbery of Joe's Liquor Store. Suppose Tom shot Joe and killed him. Now the judge must decide Tom's punishment. Imagine the judge can choose from the following list of punishments. Some of them were used in colonial America.

In small groups, talk about which of the punishments you think Tom should receive for his crime. Which of them might be considered "cruel and unusual" today? Should any of them be forbidden by the Eighth Amendment?

- Fine of $2,000
- Whipping (up to 40 lashes)
- Wearing "M" for Murderer on forehead
- Community service
- Cutting off the hand that shot Joe
- Prison term of 25 years
- Piercing tongue with hot iron
- Deporting from the country
- Hanging
- Prison term of 100 years

The "barrel" punishment was used briefly in the 1930s.

WHAT DO YOU KNOW?

Do all the states allow the death penalty? Find out if your state allows the death penalty. If it does, how old does a person have to be to receive the death penalty?

WHAT DO YOU THINK? Death Penalty Debate

Divide into pairs. Decide which of the following arguments are IN FAVOR OF the death penalty and which arguments are AGAINST the death penalty. Put your answer in the spaces below.

1. If a person kills someone, that person deserves to be killed too.

2. The death penalty is used only for the most serious crimes. Many rules must be followed before anyone can be **executed**.

3. Most people who commit crimes do not believe they will be caught.

4. The way to make sure someone does not keep killing people is to execute him or her.

5. It is enough punishment to lock a criminal up for the rest of his or her life.

6. Even though many rules must be followed, sometimes people who have been executed turn out to be innocent.

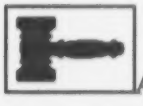
7. People will not commit serious crimes if they know they can be put to death for it.

Electric chair

8. Putting the worst criminals in prison for life will keep them from having the chance to kill again.

ARGUMENTS AGAINST THE DEATH PENALTY

____ ____ ____ ____



ARGUMENTS IN FAVOR OF THE DEATH PENALTY

____ ____ ____ ____

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VOCABULARY REVIEW

Copy the sentence and choose the correct word.

1. Maria **confessed/charged** that she had eaten the cookies.
2. "I want a **jury/judge** to decide my trial because 12 people from my community will understand me better," Tom said.
3. A judge must listen to all the evidence with an open mind. In order to have a fair trial judges must be **partial/impartial** listeners.
4. States decide if they will allow the **death penalty/vaccinations** in their state.
5. Amil was bitten by his neighbor's dog. His medical bills cost $200. Amil filed a **criminal/civil** lawsuit against his neighbor.

Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

I think my family and/or friends should know that...

A question I would like to ask is...

UNIT 6: EQUAL PROTECTION UNDER THE LAW

What do these words on the Supreme Court building mean to you?

The United States is sometimes called the land of equality—a place where people are treated in the same way, a place where people have an equal chance to succeed. Think about what you have seen in this country. Would you say that all people are treated the same? Always? Sometimes? Is it ever all right to treat people differently?

VOCABULARY:	discrimination	slavery	segregation
	facilities	racism	superior

ACTIVITY: Discrimination: Right or Wrong?

Discrimination means to treat some people differently from others. Sometimes there is a good reason for discrimination. Would you want 10-year-old children to drive cars? Other times discrimination hurts people. Which of the following examples of discrimination do you think are reasonable? Which examples would you want to change? Why?

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1. Men under 25 years old have more car accidents than other people. They must pay more for car insurance.

2. Jones Candy Factory will not hire anyone with a foreign accent.

3. Alta Airlines will not hire a pilot who is blind.

4. Lee wants to rent a five-room apartment in Rosedale. The owner will not rent to Lee because Lee has no job and no money.

These examples show that it is not always easy to decide if discrimination is fair or unfair. When discrimination denies people equal opportunity for jobs and schools, it is unfair. History tells us there has been a long struggle for equal right and fair treatment.

A History of Discrimination By Race

The End of Slavery

Years ago, men brought people from Africa to the United States. They made the Africans work as slaves. These slaves were the property of their white masters.

It took a Civil War between the Northern and the Southern States to end **slavery** in the U.S. After this war, Congress and the States passed three amendments to the Constitution. These amendments said that African-Americans were U.S. citizens and had the rights of citizens. Look at the box on the next page to find out more about these amendments.

Separating the Races

African-Americans were no longer slaves in the United States. But their lives were still controlled by powerful whites. Black people did the hardest work on farms and in factories for the lowest pay. Many states passed laws that said black people and white people could not use the same **facilities**, such as schools, restaurants, parks, and public bathrooms. Separating people like this because of their race, color, sex, religion, or age is called **segregation**.

Many people said that segregation by race was against the Fourteenth Amendment. They said segregation did not give everyone "equal protection of the laws."

Three Important Amendments That Extended The Bill of Rights

1865 **Thirteenth Amendment—made slavery illegal in the United States**

1868 **Fourteenth Amendment—said that all states, not just the national government, must give "equal protection of the laws" to people. "Equal protection" means the law is the same for everyone; it should be applied in the same way to all people.**

1870 **Fifteenth Amendment—said that no state can stop a person from voting because of that person's race or color.**

These amendments are called the Civil War amendments.

Slave market in 1861.

Separate But Equal

In 1896, a black man named Homer Plessy wanted to change the segregation laws. He tried to ride in a train car that was for white people only, and the police arrested him.

Plessy appealed his case to the Supreme Court. He argued that segregation laws did not let black people participate in U.S. society the way white people did. He also said segregation laws limited the freedom of black people. But Plessy lost the case.

The Supreme Court said that states *could* have segregation laws if the facilities for blacks were as good as those for whites. This became known as the "separate but equal" rule.

For the next 60 years, segregation continued. Usually, the facilities for African-Americans were not as good as those for whites. Blacks had to sit at the back of the bus. They had to use the back doors to public buildings. Schools for black students usually didn't have enough books or equipment.

Some whites believed their race was **superior**. They would not give African-Americans the same rights they had. This was an example of **racism**—unfair treatment of people based on their race.

Segregated drinking fountain.

WHAT DO YOU KNOW?

1. How did the Thirteenth Amendment affect African-Americans?
2. Which amendment said states had to respect everybody's rights?
3. Why was Homer Plessy against segregation?
4. What did the "separate but equal" rule mean?

WHAT DO YOU THINK?

For many years, African-Americans could not go to the same stores, swimming pools, or schools as whites. How do you think this made them feel?

VOCABULARY REVIEW

Fill in each blank with the word that **best** completes the sentence.

discrimination **racist** **segregation** **facilities** **superior**

1. In 1925, black people couldn't go to the same stores, churches, or schools as white people. This is called _____ of the races.

2. Ed wasn't happy when Marta got a higher grade on the test than he did. He always thought he was _____ to girls.

3. John Smith only hires men to work as mechanics at his auto shop. Some women have applied, but John says women mechanics are not as good as men. John won't hire any women mechanics. This is _____ against women.

4. "The people on the south side of town need more public _____," said the mayor. "We need to build another hospital, a park, and two more schools in that part of town."

5. In the 1950s, the country of South Africa passed special laws for black people. They could not vote; they had to use special I.D. cards; they could not marry white people. These are _____ laws.

The Supreme Court Thinks Again

BEFORE YOU READ
How would you feel if you couldn't go to a school you wanted to because of the color of your skin?

VOCABULARY:	inferior	desegregate	integrate

The parents of 8-year-old Linda Brown, an African-American child, were angry. Linda had to travel 21 blocks to the school for black children. A school for white children was only six blocks away. The Browns said the school segregation law was wrong. The Supreme Court agreed to take their case. The Browns' lawyer was Thurgood Marshall.

The Court Makes a Different Decision

Fifty-eight years had passed since the *Plessy* decision. Different justices were on the Supreme Court. In 1954, these justices made a new decision. In *Brown* v. *Board of Education*, the justices said that segregated schools *could not* be equal. Separating students by race made black students feel **inferior**. It meant that black students were not as good as white students. It made white students feel they were superior to others.

The *Brown* decision changed the *Plessy* decision. It gave more equality to people of different races. It made an improvement in human rights in the United States. Thurgood Marshall later became the first African-American Justice on the Supreme Court.

In another decision, the Court said that states must **desegregate** their schools. The schools must accept black and white children. Many white people did not want to do this. In some cities, President Eisenhower had to send U.S. soldiers to protect black students when they went to white schools.

Today, there is still controversy about school desegregation. Should children be bussed to other schools to **integrate** them? Should cities with large groups of minorities and suburbs with mostly white people be desegregated together? Should African-American boys in inner cities have special schools to help them stay in school and out of gangs? These are the questions of the 1990s.

Linda Brown standing outside school.

The Doll Test and *Brown* v. *Board of Education*

The Supreme Court Justices wanted to understand the effect of racism on black children in the United States. The Justices studied the results of a "doll test" done by psychologist Kenneth Clark.

Sixteen black children between the ages of six and nine were tested. Clark asked them questions about a black doll and a white doll. Ten of the black children said they liked the white doll better than the black one. Eleven of them said the black doll looked "bad." Nine of them said the white doll was the "nice" one. Seven of them said the white doll looked like them.

Why do think so many black children chose the white doll? How do you think they felt about themselves?

Kenneth Clark in New York State Education Building.

Dolls used in Clark's test.

WHAT DO YOU KNOW?

1. Why did Linda Brown's parents go to court?
2. How was the *Brown* decision different from the *Plessy* decision?
3. What reasons did the justices give for their decision in *Brown*?

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WHAT DO YOU THINK?
Do you think it's important for schools to be integrated? Why or why not?

Civil Rights Laws and Affirmative Action

BEFORE YOU READ
What are some places in your town where you see people of different races together?

VOCABULARY:	civil disobedience	disabled
	people of color	national origin

The Fourteenth Amendment forbids race discrimination by state and local governments. But before the 1960s, privately owned facilities like factories, hotels, and restaurants did not have to serve or hire blacks if they didn't want to. Discrimination was not against the law on "private property."

African-Americans wanted new laws to stop all discrimination. They wanted the right to have jobs that paid well, to live in any community, and to go to any hotel or restaurant. Other Americans agreed and worked with blacks to fight racism. Together they asked people to sign petitions and write letters to Congress. They organized protest marches of thousands of people. Often the marchers were attacked by police or by white people who didn't want blacks to have equal rights.

Sometimes people wouldn't follow segregation rules that they thought were unjust. For example, blacks would sit down in a restaurant for whites only and ask to be served. Often the owner called the police, who took the protesters to jail for **civil disobedience**.

Many Groups Wanted Equal Rights

Were African-Americans the only group that protested discrimination? No. Women, **disabled** people, Latinos, Native Americans, older people, and other minority groups also organized and demanded equal rights.

Sign for disabled people.

Because of this pressure for change, Congress began to pass civil rights laws in the 1960s. These laws said facilities that serve people, like restaurants and hotels, must be integrated. Private employers and businesses could not discriminate unfairly against women and minorities.

For example, an employer could not say, "This is my factory. I don't want to hire **people of color**, so I won't."

ACTIVITY: Each One Teach One

Your teacher will give one of these civil rights laws to you. You will learn one law and then teach it to other students. Listen to be sure other people learned your law. You will also let other students teach you a law. At the end of this activity, be ready to tell about two laws you learned from someone else.

Here are some of the most important parts of today's federal civil rights laws:

1. Equal pay for equal work for men and women.

2. No discrimination by race, color, religion or national origin in public places (hotels, restaurants, theaters, etc.).

3. Disabled people have the right to jobs, education, and business services.

4. No discrimination by race, color, religion, sex or national origin by state and local governments, public schools, and universities.

5. No discrimination by race, color, sex or national origin in programs that receive money from the federal government.

6. No discrimination by race, color, religion or national origin in selling or renting most houses and apartments.

7. Disabled children have a right to a good education.

8. No discrimination against people over 40 years old by businesses with 20 or more employees.

9. No discrimination by sex in schools (sports, teachers, college loans, etc.).

10. No discrimination by race, color, sex, religion or national origin in employment by businesses with more than 15 employees or by labor unions.

If these laws are not obeyed, people can complain to a government agency or sometimes take a case to court.

WHAT DO YOU KNOW?

1. What kind of discrimination was legal before the 1960s?
2. What were some of the ways Americans worked for civil rights?
3. Name some other groups that protested discrimination.

WHAT DO YOU THINK?

1. Which civil rights laws do you think are most important? Why?
2. Does your town or city have local laws on human rights? Call your city or town government offices to find out. If so, ask them to send you information on the laws.

Michael Guadiello, who is disabled, has a specially-trained dog to help him.

VOCABULARY REVIEW

Choose the correct meaning of the bolded word in the sentences below.

1. Separating students by race made black students feel **inferior**.

a. better *b. not as good* *c. bigger*

2. A **disabled** child has a right to a good education.

a. with a physical or mental problem *b. healthy* *c. little*

3. Wilson Dress Company wants women and **people of color** to apply for jobs.

a. people who wear red *b. Asians, African-Americans, Latinos, Native Americans* *c. people from Colorado*

4. The law now says that discrimination because of a person's **national origin** is illegal.

a. country your family comes from *b. country you visit* *c. country you want to live in*

5. In 1963, four African-American men sat down in a restaurant for whites only. The owner told them to leave his property, but they refused to go. The police took them to jail for this act of **civil disobedience**.

a. not obeying a civil law *b. obeying a civil law* *c. not obeying a criminal law*

ACTIVITY: Can They Do This?

In small groups, discuss one of the problems given below.

- First, read the problem. Everyone can help with vocabulary words. Be sure everyone understands the problem.
- Read the civil rights laws on page 77 to see if one of them applies to this problem.
- As a group, write two sentences telling why you think the school or company is, or is not, violating the law. Each person in the group should copy the sentences.
- Be ready to explain the problem and read your group's decision to the class.

1. Ann Lewis and Joe Harris work for Mason Bank in the Loan Office. They have the same education and work experience. They both have good work evaluations. Ann writes reports, gives information on the phone, and organizes files for her supervisor. Her job title is Junior Secretary. She is paid $19,000 a year. Joe writes reports, gives information on the phone, and organizes the files for his supervisor. His job title is Assistant to the Supervisor. The bank pays Joe $22,000 a year. Does this violate the law?

---

2. Forest High School is a small public school with 200 students. The school does not have much money for their sports program. John Williams, the principal, wants to spend the money on football, basketball and baseball teams for the boys. If he does this, he won't have money for any girls' teams. Mr. Williams says the boys need to have the teams. Colleges will pay tuition for boys who are very good at sports. Colleges don't pay for many girls who are good at sports. Mr. Williams says it's better to use the money for the boys' teams. Does this violate the law?

---

3. Luis Garcia and his wife own a building with 10 apartments. One of the apartments is for rent. All the other tenants are Latino, and they feel like a big family. They want Luis to keep the building all Latino. One day, Sam Jung, an immigrant from Korea, comes to see the apartment. He wants the apartment because it is close to his work. Luis doesn't know what to say to him. Then he tells Sam Jung that he rented the apartment to somebody else. "What I told Mr. Jung wasn't true, and I feel bad. But I can't rent to a Korean family," Luis tells his wife that night. "The other families wouldn't like it. Anyway, can't I decide? It's my building." Does this violate the law?

---

4. Southeast Electric Company has a fair hiring policy. They hire men and women and members of minority groups. But an employee must be 21 years old to work in the Control Room. Southeast says that the Control Room is dangerous. A person must know a lot about the computer and electrical systems and be very mature and responsible. Peter is 20 years old and has three years of experience working with computer and electrical systems at Southeast. His supervisor says Peter is very good at his work. The supervisor says Peter knows how to do the work in the Control Room. Peter says that Southeast's rule discriminates against him. Is Southeast Electric Company violating the law?

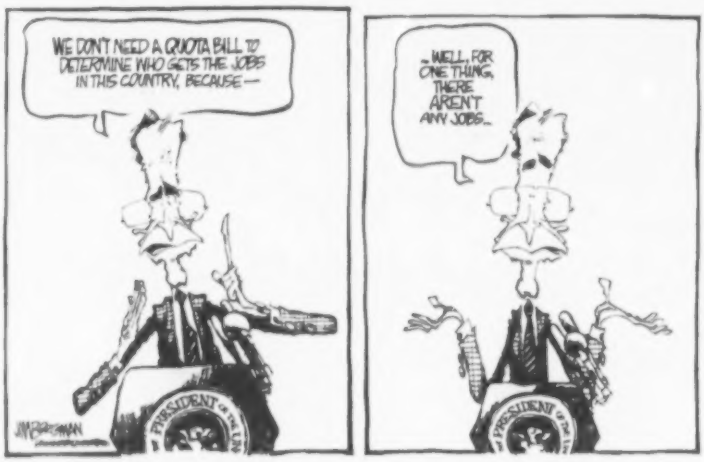
5. For many years, black students and white students went to segregated schools in the Parkwood School District. In the 1950s, the court told the school district it could not have separate schools for blacks and whites. So the school district changed its rules. It did not say some schools were only for white children and some schools were for blacks. But black people and white people in Parkwood lived in different parts of town. The district changed the attendance areas so all children in white areas went to the same schools and children in the black areas went to other schools. Does this violate the law?

What Can Be Done About the Results of Discrimination?

BEFORE YOU READ
In this section, you will read about efforts to help people who have suffered discrimination.

VOCABULARY:	promote	affirmative action	admit
	quota	reverse	

Past discrimination hurt women, African-Americans and other minorities. Often they were not admitted to good schools or trained for good jobs. They were not **promoted** at work. They did not make as much money as white men. They did not have positions of power in business and government.



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Helping Women and Minorities

Some civil rights laws and court decisions said that certain businesses and schools must make changes. They must include more women and minorities. Other companies and schools also began to do this.

For example, a business might try to hire more minorities and women. A university might look for and **admit** more minority students. A factory might make a rule that some minority workers must be promoted to supervisor. These special programs to help women and minorities are called **affirmative action** programs.

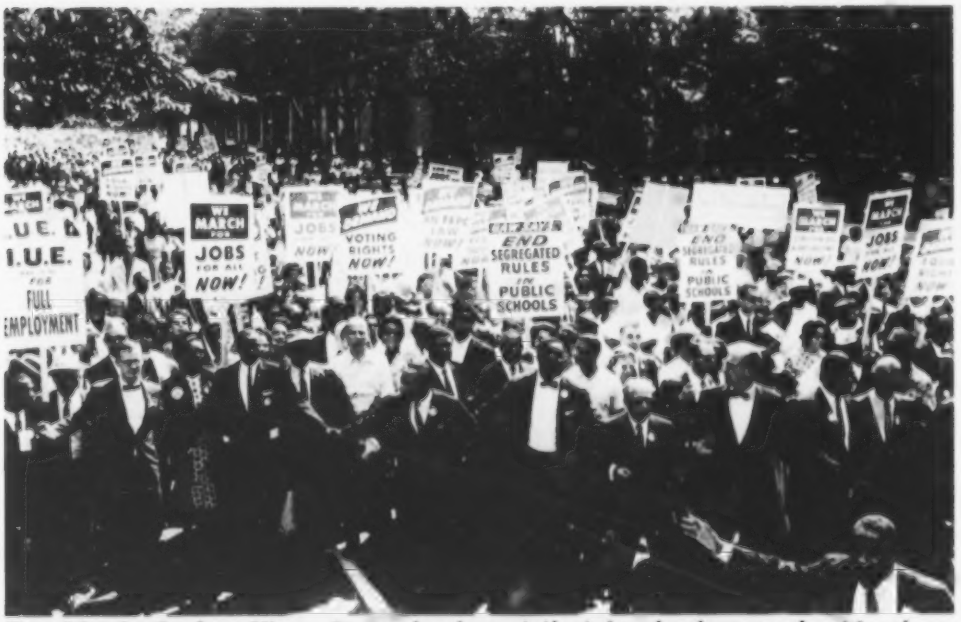
What Other People Say

Some people don't agree with affirmative action programs. One of them is Alan Bakke. Bakke, a white man, had good grades, but he wasn't admitted to medical school. Some minority students had lower grades than Bakke. But they were admitted because the school saved 16 of every 100 places for minority students.

Bakke said that saving places for minorities was not fair to him. He said the affirmative action plan of the medical school did not give him the same chance as minorities. He said this was **reverse discrimination** against whites.

Bakke's case went to the Supreme Court. The Court said that **quotas**, or saving a certain number of places for women or minorities, are not legal. But businesses and schools *can* consider sex or race as one reason (like good test results or job experience) to take persons from groups that have suffered discrimination.

Recent Supreme Court decisions have limited affirmative action programs and made it harder for workers to prove discrimination on the job. At the same time, Congress, states, and cities are passing more civil rights laws. The struggle for civil rights will continue to be a controversial subject in the 1990s.



Dr. Martin Luther King, Jr. and other civil rights leaders at the March on Washington, D.C. in 1963.

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Toni McIntosh is a firefighter in Pittsburgh, PA.

WHAT DO YOU KNOW?

1. What are some effects of past discrimination against women and minorities?
2. Give some examples of what affirmative action programs can do.
3. In the Bakke case, what did the Supreme Court say affirmative action programs could not do? What did the Supreme Court say they could do?

WHAT DO YOU THINK?

1. Is the person who gets the best score on a test always the best student? The best person for a job?
2. What do you think is the strongest argument for affirmative action programs? What do you think is the strongest argument against affirmative action programs?
3. Besides affirmative action, what else could be done to make opportunities more equal for women and minorities in the United States?

VOCABULARY EXERCISE

Complete these sentences which have vocabulary words from this section.

Example: Because Bihn knows how to cook everything on the menu very well, the Lincoln Restaurant is **promoting** him to kitchen supervisor.

1. Leo received a letter telling him he has been **admitted** to study at

_____.

2. Everyone in the singing club is selling tickets to their spring program. Mark couldn't sell his **quota** of 10 tickets because_____.

3. The Harristown Police Department has an **affirmative action** program for women and minorities. The Police Department wants to _____.

4. Alan Bakke said it was **reverse discrimination** against him when Davis Medical School

_____.

What Rights Should They Have?

In a small group,

1. Read the following situations;
2. Write a dialogue to show what happened in the situation and practice reading it;
3. Decide what rights you think the person should or should not have; and
4. Read the dialogue to the rest of the class and tell what rights you think the person should or should not have and why.

EXAMPLE

Rosa: My hands hurt. They get red and sore from the chemicals I use at work. My company doesn't give us safety gloves. So I got some of the women to complain to OSHA. You know, that's the government agency that can make companies protect the health of workers. The boss guessed that I was the leader. Then he fired me! Can he do that?

Write a dialogue to show Rosa talking with her boss.

Dialogue:

Rosa: *Here I am, Boss. Do you want to talk to me?*

Boss: *Rosa, it was you, wasn't it? I bet it was you. Did you get the other women to sign a complaint with OSHA?*

Rosa: *Well–uh–yes, I did. We need special gloves when we work with these chemicals. We had the gloves at the other place I worked.*

Boss: *Listen, Rosa, gloves for everybody will cost a lot of money. I think you're gonna cause me trouble. So here's your last paycheck. Good-bye, Rosa, and don't come back!*

We think Rosa should have the right to protect her health and the health of her friends at work. The company should not be able to fire her.

Susan: You know, my friend Charles used to teach math at Mills High School, but now he has to work in the school office. Last month, his principal saw him on TV in a demonstration for gay rights. The principal asked Charles if he was a homosexual. Charles said that he was. Well, the principal said parents wouldn't want a homosexual teaching their children. So Charles isn't teaching. Some kids from Charles' classes are mad because Charles can't teach now. They say Charles explains math really well. Does Charles have a right to get his job back?

Write a dialogue between two students from Charles' class telling what they think about what the principal has done.

Harold:
Man, I been lookin' for work for 10 months. Seems like there should be work. There's holes in the streets and sidewalks and half the buildings are falling down. Yesterday I went to ask for a job at a construction company. After I filled out the application, the manager told me 300 people applied for that job. Well, I got a little mad. I told the manager he should give me a job because I need money for my family. He said he couldn't give every bum a job. I told him I wasn't any bum; I wanted to work. Then he pushed me out the door. I wish I had a job; my family can't live on welfare money. Shouldn't a guy have the right to work so he can support his family?

Write a dialogue telling what happened when Harold talked to the manager at the shoe factory.

Mrs. Jones:
My boy, Bobby, has the HIV virus– that's the virus that causes AIDS. We're new in town and I need to find a medical clinic for Bobby. I called a clinic yesterday, but the lady told me they don't take people who are infected with HIV. I said this was the third clinic I'd called and where was I going to find a doctor to take care of my boy. She just said, "Sorry, Mrs. Jones, that's your problem." Well, I told her what I thought of that! Shouldn't I have a right to get a doctor for my kid?

Write a dialogue telling what happened when Mrs. Jones talked with the lady at the clinic.

What You Can Do If You Think Your Rights Are Violated—

Remember that civil rights may be protected by federal, state, and local laws. *Some laws have time limits so you should act quickly*. These are some possible actions:

- Contact a national, state or local government agency that works on human rights or fair employment. These agencies will help you make a legal complaint. (Often the general information number for your state or city can give you the agency you need.)
- Contact a community organization for the names of local groups that may help you.
- Contact a private organization interested in the problem such as the American Civil Liberties Union (ACLU), the Mexican American Legal Defense and Educational Fund (MALDEF), or the National Association for the Advancement of Colored People (NAACP).
- Talk to a lawyer to find out what can be done. If your family is low income, you may be able to get free legal help. Call your local Bar Association (a lawyers' organization) for names of legal clinics or legal assistance offices.
- Protest by talking, writing a letter or demonstrating.
- Contact the U.S. Commission on Civil Rights (1121 Vermont Ave., NW, Washington, DC, 20425, 202-376-8513) for general information on where to look for help or if you don't get an answer from other agencies.

If an organization you call cannot help with your problem, ask for the name of a group that may be able to help you.

What About The Future?

Today, the United States has more equality than it did 100 years ago. We have these rights because thousands of people worked together for change. Will we keep our equal rights and expand them in the next 100 years? That depends on us.

What do these words mean to you?

**"If I am not for myself, then who will be for me?
But if I am only for myself, then who am I?"**

—Hillel

Five Things I Can Do to Fight Discrimination

1. *Demand respect for myself.*
2. *Treat people who are different from me with respect.*
3. *Don't tell jokes that make fun of people who are different from me.*
4. *Work with community groups to help my people.*
5. *Write a letter to the city or school newspaper when I see discrimination happening.*

Would these work for you? Can you think of any others?

Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

I think my family and/or friends should know that...

A question I would like to ask is...

These people think that medical care should be a right for everyone.

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UNIT 7: THE BILL OF RIGHTS AND YOUR BODY

What is happening in this picture? What do the signs mean?

BEFORE YOU READ
How much control should the government have over your personal life?

VOCABULARY:	contraceptives	zones of privacy	interference

Right to Privacy

The words "right to privacy" do not actually appear in the Constitution. But U.S. courts have decided that the idea of privacy is protected in the Bill of Rights.

This right is protected when people are let alone. In the unit on search and seizure, you learned that the Fourth Amendment protects people's privacy against unreasonable search and seizure.

The right to privacy is also important when making personal decisions. People want to make decisions like getting married or having children without the **interference** of the government. But sometimes these decisions can create a conflict between individual rights and government, or state, interests. Sometimes the right to control your own body comes in conflict with the state's interests in protecting everyone.

Zones of Privacy

The Supreme Court wrote about the constitutional right to privacy in the 1965 case of *Griswold* v. *Connecticut*. The Court was asked to decide if a state law could forbid the use of **contraceptives** (birth control methods) when they are used by married couples. The Court said the Connecticut law violated the Constitution because it interfered with the privacy of marriage.

The majority opinion of the Court said that the Bill of Rights, as a whole, creates **"zones of privacy."** These zones include the freedom to choose to:

- marry the person you love
- attend a public or private school
- have children or not have children

The Court said that deciding to use contraceptives when you are married is also a zone of privacy. The government cannot tell you to use or not to use contraceptives if you are married. Later, in another case, the Court ruled that single people also have the right to use contraceptives.

WHAT DO YOU KNOW?

1. What does the right to privacy mean?
2. Does the Constitution protect the right to privacy?
3. Did *Griswold* v. *Connecticut* increase or decrease privacy rights?

WHAT DO YOU THINK?

Can you think of other situations when a person might want to control his or her own body, but the government objects? What are they?

VOCABULARY REVIEW

Complete the following sentences with the correct vocabulary word.

contraceptives **zones of privacy** **interference**

1. The right to privacy means people should be able to make decisions about their personal lives without government _____.
2. _____ include the right to decide to have children or not to have children.
3. Supreme Court decisions have ruled that married and single people have the right to use _____.

Demonstrators on both sides of the abortion issue protest in front of the Supreme Court.

Who Decides Whether You Have a Baby?

VOCABULARY:	abortion	pregnant	conception
	perform	landmark	deprive
	minor	require	adopt

Roe* v. *Wade

The *Griswold* case helped to establish the constitutional right to privacy. The Supreme Court looked back at *Griswold* when it considered the **landmark** case, *Roe* v. *Wade*, in 1973. This case was about **abortion**.

Abortion was a crime

Before 1973, abortion was a crime in many states. In the state of Texas, it was a crime for a woman to have an abortion unless it was needed to save the woman's life. A woman who got an abortion or a doctor who **performed** an abortion could be sent to prison for two to five years.

One woman's story

A young, single woman who was **pregnant** disagreed with the Texas law. The woman was 21 years old and had no home or job. She knew she couldn't take care of a child. She wanted to get an abortion, but she couldn't find a doctor who would break the law and perform an abortion. The woman didn't know what to do.

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Two lawyers fight the law

Two lawyers agreed to help her. They wanted to have the Texas law declared unconstitutional. The woman did not want to use her name. She used the name "Jane Roe" instead of her real name.

Conflict between individuals and state

"Roe" thought that it would help all other women if she won the case. In court, her lawyers argued that a woman has a constitutional right to control her own body. The state of Texas said that it had to protect the lives of the unborn children.

Supreme Court decides

The Supreme Court decided that the Texas law, and other state laws like it, were unconstitutional. By a vote of five to four the Court ruled that married and single women have a legal right to an abortion.

The Supreme Court based the *Roe* v. *Wade* decision on the Fourteenth Amendment, which says that no state shall "**deprive** any person of life, liberty, or property, without due process of law."

The Court said that the term liberty includes the right to personal privacy. The Texas law deprived women of their liberty. The Court agreed, however, that states do have real interests in protecting a mother's health and possible human life. States can protect those interests, depending on when the abortion is performed.

The Court divided the nine months of a woman's pregnancy into three parts:

1. In the first three months, the abortion decision is up to the woman.	2. In the second three months, a state's interest in the mother's health is strong enough that it may regulate abortions, but not stop them.	3. In the last three months of pregnancy, the state can forbid abortions—unless they are needed to save the mother's life.

When "Roe" read about the Court's decision, she burst into tears of happiness. Other groups of people, however, were very upset about the decision. They have been protesting *Roe* v. *Wade* since 1973.

WHAT DO YOU KNOW?

1. Why did "Jane Roe" want to have an abortion?
2. Why did the state of Texas make abortions illegal?
3. What did the Supreme Court rule in *Roe* v. *Wade*?
4. What words in the Fourteenth Amendment did the Supreme Court use to support a woman's right to have an abortion?

WHAT DO YOU THINK?

1. The Supreme Court's decision in *Roe* v. *Wade* caused a lot of controversy. Why do you suppose that happened?
2. Should a state like Texas have the right to set its own rules about controversial issues like abortion? Why or why not?

VOCABULARY REVIEW

Find the words in bold in the reading. Then choose the correct meaning.

landmark **pregnant** **perform** **abortion**

1. Landmark means
   a) very important b) about property rights c) decided by a jury
2. Pregnant means
   a) pretty b) ready to work c) going to have a child
3. Perform means
   a) to speak b) to do c) to give
4. Abortion means
   a) to end a pregnancy b) to go to court c) to have a child

States Can Make Their Own Rules

The states have to follow the rules set down in *Roe*. A state cannot make it illegal for a woman to have an abortion in the first three months of pregnancy. But states can make other rules.

For instance, a state may refuse to give state money to help pay for abortions for poor women. Or a state may say that abortions can only be performed in places with certain kinds of medicine and supplies.

States can also have special rules about **minors** who want an abortion. They can **require** that a minor's parents be told before she has an abortion. A state can require that parents give permission for a minor to have an abortion. However, the Supreme Court has said that if a minor can convince a judge that her parents would abuse her or that she is mature enough to make the decision herself, then her parents do not need to be told.

Here are some of the major arguments about whether women have a basic right to an abortion. Which of the arguments do you think are the strongest? the weakest? Why?

Arguments AGAINST Right to Abortion	**Arguments FOR Right to Abortion**
1. Abortion is murder of a human being because human life begins at **conception**.	1. Human life begins at birth, so abortion is not murder of a human being.
2. The right of the unborn to live is greater than the right of a woman to control her own body.	2. A woman has the right to control her own body and to decide if she will have a child.
3. Instead of deciding to have an abortion, woman can give up their babies for **adoption**.	3. There are many babies who are never adopted.

The Controversy Over Abortion Continues

The Supreme Court's decision in *Roe* v. *Wade* caused a lot of controversy in the United States. Many people protested the decision. In the 1970s and 1980s, there were attempts to add a "Pro-Life" amendment to the Constitution. This would have made abortions illegal. The amendment was not approved.

But people who were against abortion did not give up. In many states, they have convinced state legislators to pass laws limiting abortion. These people hope that the Supreme Court will rule that a woman does not have a constitutional right to have an abortion.

Many other people think the Supreme Court made the right decision in *Roe* v. *Wade*. They protested against the "Pro-Life" amendment and state laws limiting abortion. People who support a woman's right to decide if she will have an abortion do not want the Supreme Court rulings to change. These people are "Pro-Choice." They want abortion to be protected by the Constitution.

Will abortions be made illegal in the United States? Or will a woman continue to have the right to choose? It is hard to predict what will happen in the future. But abortion will continue to be very controversial.

VOCABULARY REVIEW

Choose the best word to complete the following sentences.

deprived **adopted** **conception** **minor** **require**

1. Mr. and Mrs. Allen _____ a disabled child.
2. Some religions teach that human life begins at the moment of _____.
3. In many states a young person is a _____ until he or she is 18 years old.
4. "My dad has _____ me of my T.V. rights," complained Lee. "He won't let me watch television until my grades get better."
5. Does your high school _____ that all students take three years of math?

How Should Representatives Make Decisions?

BEFORE YOU READ

Should senators or representatives vote the way they believe? Or should they vote for what the people they represent believe?

VOCABULARY: overturn run for election

What Should Senator Pulaski Do?

Some people think that the Supreme Court will **overturn** *Roe* v. *Wade*. If that happens, then many state senators and representatives will have to make an important decision. They will have to decide how to vote on legislation about abortion.

For example, in some states senators and representatives will have to vote on bills that would make it illegal for a woman to have an abortion. The next reading is about an imaginary state senator who must make a decision on how to vote on state Senate Bill 101, a bill about abortion which would make abortions illegal in his state, except to save the life of the mother.

Senator Pulaski is undecided about how to vote on the bill. In the past, he has supported a woman's right to make her own decision about having an abortion.

He has received 5,000 letters about the abortion bill. Over 60% of the letters want him to vote for the bill. However, he has no way of knowing how the people who don't write him letters feel about the bill. There are 200,000 people in his district.

Senator Pulaski was elected three years ago in a close race. He will **run for re-election** next year.

Help Senator Pulaski Decide

You and others in your group are advisors to Senator Pulaski. Senator Pulaski has asked your group to advise him about how he should vote on Senate Bill 101—**a bill that would make abortions illegal in his state, except to save the life of the mother.**

WHAT DO YOU KNOW?

1. What is the purpose of Senate Bill 101?
2. How would a person who wants abortions to be illegal vote on Senate Bill 101?
3. How would a person who wants a woman to have the right to choose whether to have an abortion vote on Senate Bill 101?
4. Has Senator Pulaski supported a woman's right to have an abortion in the past?
5. Look at the math exercise. Can Senator Pulaski be sure that the majority of voters in his district want him to vote for the bill?

WHAT DO YOU THINK?

1. What could happen if Senator Pulaski votes for Senate Bill 101?
2. What could happen if Senator Pulaski votes against Senate Bill 101?
3. What will your group of advisors say to Senator Pulaski about Senate Bill 101? How should he vote? What are your group's reasons?
4. If you were a senator or representative, would you vote for what the people you represented wanted? Even if you disagreed with them? Why or why not?

Think about what we have studied in this unit. Then give your own opinions by completing the sentences below. Give as much information as you can to explain your answers.

I was surprised to learn that...

Can you do the math for Senator Pulaski?

How many letters supporting Senate Bill 101 has Senator Pulaski received?
(5,000 letters x 60% = _____ letters)

How many letters against Senate Bill 101 has Senator Pulaski received?
(100% - 60% = ____% x 5,000 letters = _____ letters)

How many people have not written to Senator Pulaski about this bill?
If 50,000 of these are children, how many adults have not written to Senator Pulaski?
(200,000 - 5,000 = _____ - 50,000 = _____)

What percentage of adults in Senator Pulaski's district have written to him about the abortion bill?
(5,000 ÷ # of adults = _____%)

I think my family and/or friends should know that...

A question I would like to ask is...

UNIT 8: PARTICIPATING IN A DEMOCRATIC SOCIETY

Women marched in front of the White House in 1917, demanding the right to vote.

Voting is one of the most basic ways to participate in a democratic society. So it's a surprise to learn that many people could not vote in the early days of the United States. Who could vote? White men, over 21, who owned property. It took many years of struggle before Americans of other races and women could vote.

Voting is a basic right for American citizens, but there are other important ways to improve and participate in a democratic society. People can make important changes in their communities and organize groups to get legislators to pass new laws.

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An Interview with Miriam Santos

BEFORE YOU READ

Have you ever wanted to talk to an elected official? What questions would you ask? In this interview, you will meet Miriam Santos, an elected official who wants to talk to *you*.

VOCABULARY:	candidate	participate
	office	competent

From 1989 to 1991, Miriam Santos served as the City Treasurer of Chicago. In 1991, 71% of Chicago voters elected her to that **office** for four more years. As Treasurer, she controls and invests city tax money paid by people in Chicago. In an interview, Ms. Santos answered some questions about how people can **participate** in U.S. government and society.

Miriam Santos, City Treasurer, Chicago.

1. **Why did people from all parts of the city vote for you as City Treasurer?**

I think they liked me because I took care of their tax money as carefully as they would have. I hired honest people to work in my department, and I made changes that saved money for the city and the taxpayers.

I think voters also liked that I am proud of being Hispanic and that my parents came to this country as immigrants. I worked while I went to college and to law school. I have succeeded, but I have kept the values and the morals my family taught me.

2. **Is it good to have different kinds of people working in government?**

Yes, it is. Our society has people from many different races and cultures. Representatives of those groups should be part of the government just as they are part of U.S. society.

3. **How can I know if a candidate will represent me well?**

You can do several things. You can get information from **candidates** to learn their ideas. You can find out what candidates did in the past. You can read different newspapers to see what they say about the candidates. You can listen to candidates talk, see how they act and how they answer questions. You can ask the opinions of people and organizations that you trust.

4. **How can I tell candidates about the problems in my neighborhood?**

You can get together with people on your block and invite candidates for local government (like members of a city council) to come to talk with you and answer your questions. You can also invite your representatives after they are elected, to talk about problems like traffic safety or better housing in your neighborhood.

5. **Voting is a basic right in a democracy, but many people in the U.S. don't vote. What do you think is the reason?**

I think people often don't vote because they don't think their vote is important. But when you vote you are choosing people who can make laws or rules that will change your life. Every vote does count, and together our votes can make a difference.

6. **Do you always vote?**

Oh, yes. For me, election day is like Christmas! I get to go out and express myself. I can give my opinion. Even if my candidate doesn't win, my opinion is counted.

7. **Many people in this country are residents but not citizens, so they don't vote. Can these people participate in this society?**

Of course. There are many ways to participate. For example, many people join block clubs. These groups try to improve life in their neighborhood. They may do things like going to the local police to ask for better protection against gangs or drug dealers. People who are not citizens have a right to protection. In this country we are supposed to treat everyone equally.

8. **How does the Bill of Rights affect you as the elected Treasurer in Chicago?**

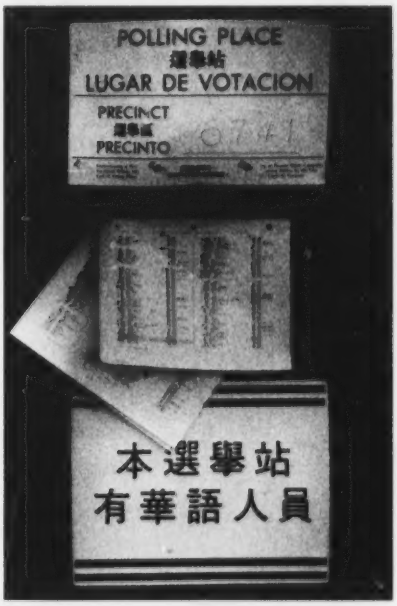
First, I can speak freely about what I am doing as Treasurer and my ideas about good government. I can criticize when I feel it is necessary. **Competent** people of all races and religions have equal opportunity to work in my department. Right now there are whites, African-Americans, Hispanics and Asians working in the Treasurer's Office. For all of us, the Bill of Rights means protection of important freedoms.

ACTIVITY
If you were interviewing Miriam Santos, are there other questions you would ask? Are there elected officials in your city you would like to interview? Maybe some students in the class could interview them for your class or school paper.

The Fight for Equal Voting Rights

BEFORE YOU READ
Have you ever voted? In a class or in a club? At a meeting or in your family? How did you feel?

VOCABULARY:	literacy	poll tax	register	demand



After the Civil War, the Fifteenth Amendment was passed. It said states could not stop a person from voting because of race or color. But states *could* make laws saying that all people had to pay a **poll tax** (pay money to vote) or pass a **literacy** (reading and writing) test before they could vote. Many states in the South passed laws like this.

Because most blacks in the South did not have much education or money, these laws kept many of them from voting. The laws also kept many poor white people from voting. They could not elect representatives to work for their needs.

Another problem was that many blacks had never **registered** to vote. In the United States, people must register with the government (show identification and fill out forms) before they can vote. Every time people move to a new address, they must register again.

In the 1960s young people went to the South to register African-Americans to vote. Many Southern whites were angry and afraid because larger numbers of blacks were beginning to vote. Some whites became violent and people were killed. At the same time, people who worked and marched for equal rights **demanded** an end to literacy and poll tax laws.

In 1964, the Twenty-fifth Amendment was passed. The Amendment made it illegal for states to demand that people pay a poll tax.

In 1965, Congress passed the Voting Rights Act. This law made literacy tests for voters illegal in every state. Later, Congress added another part to this law: in areas where many voters speak another language, election information must be bilingual. The Voting Rights Act has made it possible for many more people to use their right to vote.

WHAT DO YOU KNOW?

1. How did a literacy test keep people from voting?
2. Do people have to pay poll taxes today? Why or why not?
3. What are two ways that the Voting Rights Act helps more people to vote?

WHAT DO YOU THINK?

1. Why would some people want to keep poor black and white people from voting?
2. Why do you think there was violence when young white people went to the South to help black people register to vote?
3. Some people think that only educated people should have the right to vote. Others say that all people should have the right to vote. Can you give reasons for and against both positions?
4. Ask two U.S. citizens if they voted in the last election and why? Write down their answers and their reasons to share with other students.

How Long Did Women Wait?

VOCABULARY: suffrage deny rational

Women are born to be wives and mothers. They should stay in the home. Women are not as intelligent as men. Women are emotional; they think like children. Men are ***rational****. The man is the head of the home. He should make the political decisions...*

These are things people said to women who wanted the right to vote. For years, women were told to take care of their homes and children and let their husbands vote for them. In 1870 the Fifteenth Amendment gave the vote to African-American men, but not to women!

For many years, women have written articles, given talks, marched, and organized to get equal rights. One of the most important rights for them is the right to vote. The right to vote is sometimes called **suffrage**. Elizabeth Stanton and Susan B. Anthony were early leaders in the long struggle for women's suffrage.

In 1920, the Nineteenth Amendment was finally passed by Congress and approved by the states. The amendment said, "The right of citizens of the United States to vote shall not be **denied**...on account of sex." After 130 years of struggle, women in the United States had the right to vote for their elected representatives.

What About Young People?

In the United States the age for voting was always 21. But 18-year-olds had to fight in U.S. wars. People began to think about this after World War II. Young Americans had to fight, but they could not vote for the government that made decisions about war and peace. Was this fair?

During the 1960s, 18-year-olds were sent to war again in Vietnam. Many citizens and legislators agreed that people who were old enough to fight should be able to vote. In 1971, the Twenty-sixth Amendment was passed. This amendment changed the voting age for men and women to 18 for all national elections.

In 1969 a U.S. soldier heads home from Vietnam.

WHAT DO YOU KNOW?

1. Why did people think women should not vote?
2. Look at the Nineteenth and the Twenty-sixth Amendments. What was the same about them? What was different?

WHAT DO YOU THINK?

1. What do you think about the reasons why people didn't want women to vote?
2. Do you know some rights that women have now that they didn't have 100 years ago?
3. Some people say that the right to vote is a key to other rights. What do you think they mean? Do you agree?
4. Since 18-year-olds received the right to vote in 1971, fewer and fewer of them have been voting. Why do you think more 18-year-olds don't vote?

VOCABULARY REVIEW

Help these people to finish their sentences, using the following vocabulary words:

literacy **poll tax** **suffrage**
register **candidate**

1. "When Grandpa lived in Alabama, he couldn't vote. He told us he didn't have any money to pay the _____."

2. "My grandmother was Susan B. Anthony's cousin. Grandma said Susan wanted women to have the right to vote so she gave a lot of talks supporting women's _____."

3. "Mama couldn't vote in the last election. After we moved, she forgot to _____."

4. "My dad can't read because he never went to school. But now he goes to Lakeside Community Center for _____ classes so he can learn to read and write."

5. "I voted for Geraldine Ferraro in 1984. She was the first woman _____ for Vice President of the United States."

ACTIVITY: A SUMMARY OF VOTING RIGHTS HISTORY

The following sentences tell the history of voting rights in the United States, but they are not in order. Put the sentences in the order that they happened. What new fact do you find?

1. In 1971 the Twenty-sixth Amendment changed the voting age to 18.

2. The Fifteenth Amendment gave the vote to African-American men in 1870.

3. Native American men and women were first allowed to vote in 1924.

4. In 1796 only white men who owned property could vote in the United States.

5. Women began to vote in elections after the Nineteenth Amendment was passed in 1920.

Did you find the new fact? You probably know that Native Americans lived in North America long before the colonists came. Do you know that for many years the U.S. government fought with Native Americans to get their land? Later, Native Americans were forced to live in special areas called reservations. For many years, the U.S. government treated them as people of foreign nations. But in 1924, the government made all Native Americans citizens of the United States. There are still conflicts over rights between the U.S. government and Native Americans.

Who Votes in the United States?

VOCABULARY:	eligible	turnout	percentage	millionaire

Study the tables on this page. What do Tables #1 and #2 tell you about voting in the U.S.? about voting in other nations? Should Americans worry about what these tables show? What does Table #3 tell you about voting and education? Can you think of reasons why voting and education are related?

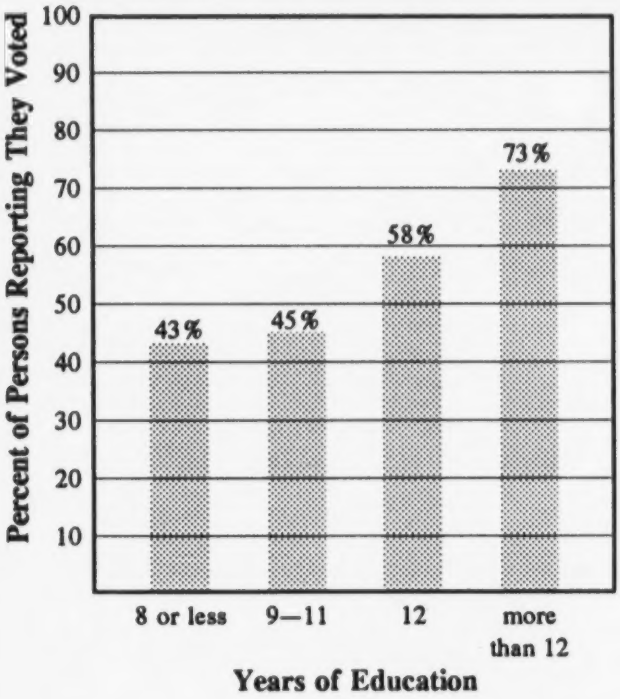
PERCENTAGE OF ELIGIBLE VOTERS VOTING IN PRESIDENTIAL ELECTIONS

1960	65%
1964	63%
1968	62%
1972	57%
1976	56%
1980	53%

Source: Statistical Abstract of the United States

Table #1

EDUCATION AND VOTER TURNOUT NATIONAL ELECTIONS, 1976—1988



Source: Statistical Abstract of the United States

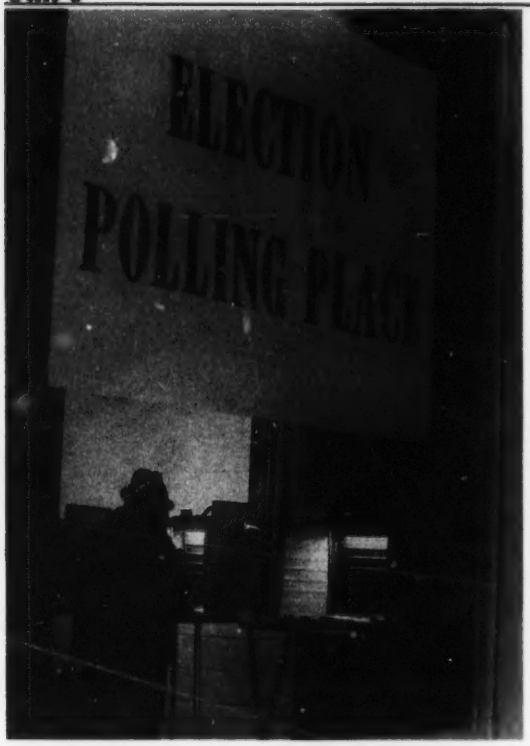
Table #3

VOTER PERCENTAGES IN DEMOCRATIC NATIONS (1983)

1.	Belgium	95%
2.	Australia	94%
3.	Austria	92%
4.	Sweden	91%
5.	Italy	90%
6.	Iceland	89%
7.	New Zealand	89%
8.	Luxembourg	89%
9.	West Germany	87%
10.	Netherlands	87%
11.	France	86%
12.	Portugal	84%
13.	Denmark	83%
14.	Norway	82%
15.	Greece	79%
16.	Israel	78%
17.	United Kingdom	76%
18.	Japan	74%
19.	Canada	69%
20.	Spain	68%
21.	Finland	64%
22.	Ireland	62%
23.	**United States**	**53%**
24.	Switzerland	48%

Source: Harvard/ABC News Symposium (1984:7)

Table #2



ACTIVITY

You have seen that the percentage of U.S. voters is going down. In this activity, you will read about some of the reasons why people don't vote.

Which problems do you think indicate real problems with elections in the United States? Can you think of ways to solve any of the problems?

1. "I work in a factory all day. It's not very safe and I have no insurance and the pay is bad. I want a political party that fights for what I need."

2. "It's too much trouble. Anyway—who ever heard of somebody winning by one vote?"

3. "When I went to vote for the governor last year, I knew which candidate I wanted to vote for. But on the ballot there were candidates for nineteen other offices, too! How can I find out about all these candidates? It's too much."

4. "I don't read very well. It would take too long for me to read what the candidates say."

5. "I'd like to vote for Smith for mayor. He's an honest guy. He wants to make the schools better and help small businesses. But he doesn't have a chance. The other candidate, Taylor—he's a millionaire. He's got signs on every street, and ads on T.V. every night."

6. "It's cold and rainy outside. I just got home and I'm tired. I need to fix dinner. I'll vote next time."

7. "I knew I had to register to vote, but I didn't know where to go or what number to call to find out. Then my neighbor said I could register at the library. But when I went, they said they only registered until a month before the election. Now it's two weeks before the election so I'm too late. The government sure doesn't make it easy for me to vote!"

8. "Both parties are the same."

9. "They're just going to do things for big businesses. They don't care about us. Anybody can see we're just getting poorer."

10. "I don't know what their ideas are! The TV ads are so short, and each candidate just talks about how bad the other one is."

Organizing People Can Change Things

What if people are not citizens but are living in the United States? Can they participate in political and social life? Certainly. As Miriam Santos said, voting is important but it isn't the only way to have a voice. There are other very useful ways to participate. Here is one example.

> In 1980, the daughter of Candy Lightner was hit and killed by a drunk driver. Candy was told that the driver would probably not go to jail because drunk driving was not a serious crime in California.
>
> Candy wanted to stop drunk driving. She and other mothers phoned friends, wrote letters, and talked to groups of people. They began an organization. They asked many people to write the governor and representatives in California. The mothers wanted to change the laws to make drunk driving a serious crime.
>
> Many people agreed with Candy and her organization. California changed its laws so that drunk drivers were punished. Many of them lost their driver's licenses, paid money, and went to jail. Then Candy and her organization began to work in other states. Now all 50 states have harder drunk driving laws and have raised the age for drinking liquor to 21.
>
> Candy and her organization have been able to change laws in this country. Her group is called MADD (Mothers Against Drunk Driving). There is also an organization called SADD (Students Against Drunk Driving). Is this organization active at your school?

Following are two situations in which ordinary people can participate in U.S. society. Write a short paragraph telling what you think the person could do to help make things better.

1. "My two kids go to Morgan Elementary School just down the street," said Jozef. "But after school they don't have anything to do or any place to go. A lot of their friends don't either. There's a community organization a block away. They have some extra rooms, but they don't have anything for children in the afternoon. A lot of the parents would like to have activities for the kids. Do you think I could do something about this?"

2. A private company wants to build a toxic waste dump in Lin's part of town. The company has reports from experts that say the dump will not cause cancer or other diseases. Lin and his neighbors are worried. They don't know if they should believe the reports from the company experts. The city council will vote to give or deny the company permission to build. The council representative from Lin's area hasn't decided how he will vote. What things can Lin and his neighbors do in this situation?

YOUR CHOICE

All of these are ways of participating in a democratic society. Which three would be most important to you? Which ones have you done?

- voting in elections
- getting good people to be candidates for elections
- organizing meetings of neighbors to talk with candidates
- doing volunteer work with an organization in the community
- disagreeing in a respectful way with people who have different political ideas
- joining a citizens' group to work on problems in the community, like a homeless shelter, an after-school program, better race relations, a clean-up project
- obeying traffic laws
- not damaging other people's property
- organizing people to write letters and/or demonstrate for causes you believe in—for example, more money for schools or better health clinics
- reporting crimes
- taking care of public property
- serving on a jury
- getting an education
- learning rights and responsibilities

★★A BILL OF RIGHTS FOR THE TWENTY-FIRST CENTURY★★

You have studied about the important freedoms guaranteed by the Bill of Rights. Other countries also guarantee rights to their people. Some countries don't include all the rights in the Bill of Rights; some of them include different rights. The United Nations has approved a Universal Declaration of Human Rights which recommends that governments respect many kinds of rights for people.

As we come to the beginning of the next century, the world is changing very fast, economically, socially, and politically. What kind of a Bill of Rights will we need for the twenty-first century? Are there rights in the Bill of Rights that you don't think we need? Are there other rights that you would like to include?

- Work with other students in a group to write the kind of bill of rights you would like people to have. List the rights your group would like to include.
- Then decide in your group which six of your rights are the most important. Write them on a big piece of paper and put it on the wall. Be ready to explain why your group chose these rights.
- Compare your list with lists of other groups. Have some groups listed the same rights? Make a final list of the rights that your class thinks should be included in a "Bill of Rights for the Twenty-first Century."
- You can send your bill of rights to your school paper or your local paper. You can write it on a large piece of paper to put on a bulletin board near your school office. You can show it to other classes. You can put it on the door of your classroom.

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THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

In World War II, six million Jews were killed by the Nazis. People around the world hoped that such a terrible crime against human rights would never happen again. In 1948, representatives of countries with different political systems and from all parts of the world came together at the United Nations. They wrote a declaration of the basic needs, hopes, and wishes of all men and women. They included rights in education, health, work, and culture as well as legal and political rights. Following is a summary of these rights.

1. Right to equality
2. Freedom from discrimination
3. Right to life, liberty, personal safety
4. Freedom from slavery
5. Freedom from torture or cruel and inhuman punishment
6. Right to be protected by the law
7. Right to be treated in the same way as others by the law
8. Right to legal help if rights are not respected
9. No arrest, prison or exile without good reason
10. Right to a public and fair trial
11. Right to be considered innocent until proven guilty
12. Right to privacy and protection of your good name
13. Right to move within your country and to leave and return to it when you wish
14. Right to protection in another country if your country violates your rights
15. Right to be a citizen of your country or to become a citizen of another country
16. Right to marriage and family, equal rights in marriage, protection of the family by government
17. Right to own property
18. Freedom of religion
19. Freedom of opinion and speech; freedom to give and receive information
20. Right to organize meetings; right to join organizations; right not to join organizations
21. Right to participate in government and in free elections
22. Right to personal development by sharing in the economic, social and cultural life of the country
23. Right to work for fair pay and to join labor unions; men and women receive equal pay
24. Right to paid holidays and work hours that are not too long
25. Right to food, housing, and medical care needed for a decent life; special help when you cannot work; special care for mothers and children
26. Right to the education you want and education that teaches understanding and tolerance among nations, races, and religions
27. Right to participate in the cultural life of the community
28. Right to social order and international order that protects all these rights
30. Right to these freedoms without interference by government, individuals or private groups

THE EXTENDED BILL OF RIGHTS

First Amendment: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Second Amendment: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Third Amendment: No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner prescribed by law.

Fourth Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Fifth Amendment: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger;nor shall any person be subject for the same offence to be put twice in double jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Sixth Amendment: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Seventh Amendment: In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.

Eighth Amendment: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments be inflicted.

Ninth Amendment: The enumeration of the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Tenth Amendment: The powers not delegated to the united States by the constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people.

Thirteenth Amendment: Neither slavery nor involuntary solitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the united States, or any place subject to their jurisdiction.

Fourteenth Amendment: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Fifteenth Amendment: The right of citizens of the United States to vote shall not be denied or abridged by the United states or by any State on account of race, color, or previous condition of servitude.

Nineteenth Amendment: The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Twenty-Fourth Amendment: The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United states or any State by reason of failure to pay any poll tax or other tax.

Twenty-Fifth: The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

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